TAB 3

Holland & Knight

701 Brickell Avenue, Suite 3000 | Miami, FL 33131 | T 305.374.8500 | F 305.789.7799
Holland & Knight LLP | www.hklaw.com

Memorandum

Date: May 22, 2020

To: Mr. Justin Proffitt, AICP
Director, Community Development Department
City of North Miami Beach

From: Tracy R. Slavens, Esq.
Vanessa Madrid, Esq.

Re: **Dezer Intracoastal Mall LLC / Intracoastal Mall Redevelopment**
3501 Sunny Isles Blvd., North Miami Beach, Florida (Item # 19-3)

Response to TRAD Comments Dated March 26, 2020,
and Supplemental Planning and Zoning Comments Received on May 18, 2020

Please refer to the sections described below for the Applicant's responses to the TRAD comments, which are provided herein in **BOLD** following each of the new comments issued.

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SECTION I. BUILDING DEPARTMENT

Intracoastal Mall

The following is a preliminary analysis of potential code issues relative to conceptual Master Plan of proposed development to the Intracoastal mall for future mix used new constructions

- NO COMMENTS

SECTION II. UTILITIES/ENGINEERING

NOTES:

1. The Holland and Knight amended letter of intent incorrectly states NW 35 Avenue on two occasions. Should read NE 35 Avenue. See Section III, page 4.

   Response: A revised amended letter of intent is enclosed with this submittal.

2. The Holland and Knight Development Agreement Exhibit E-4 incorrectly is entitled Sanitary Sewer, Solid Waste, Drainage and Potable Water Facilities. That section appears to be geared to Parks and Recreation.

   Response: The Applicant is working with the City Attorney to finalize the terms of the Development Agreement and a revised draft will be provided for review under separate cover.

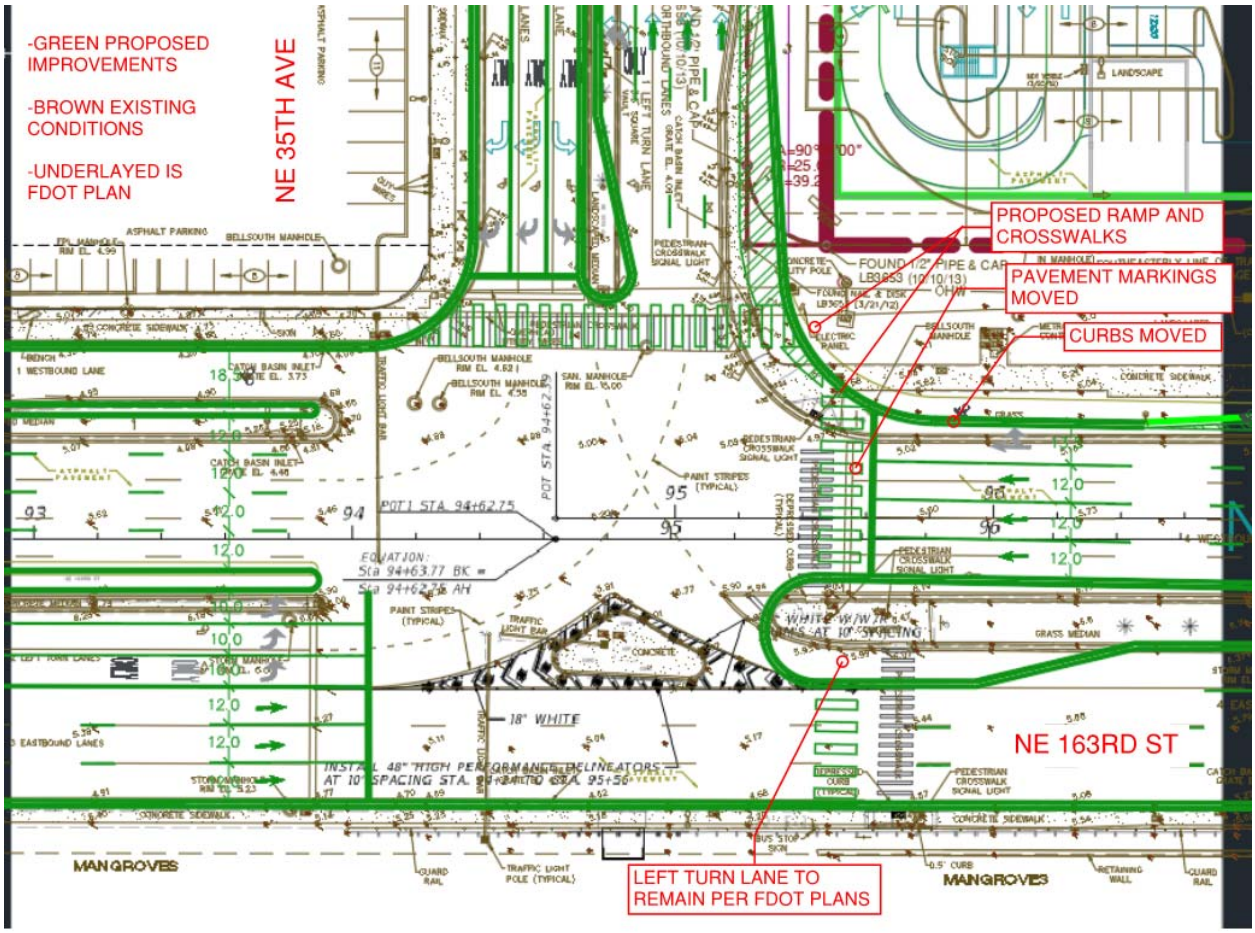
3. The Holland and Knight memo response to the TRAD comments from the September 2019 meeting:

   a. Response to item Sewer #3. The pump station is not at NE 146 Street. It is at NE 164 Street. This error is also seen on a Public Works response on page 5.

   Response: Noted. Applicant hereby clarifies that the pump station referenced in its responses to item Sewer #3 and Public Works response on page 5, is located at NE 164 Street.

4. Did the Developer's Consultant (Langan) communicate with the FDOT project engineers as relates to coordinating any new turn lanes, or roadway modifications, etc., as to the impact of their upcoming roadway project and any possible moratoriums? I had provided the FDOT contact info on an email to Michael Carr of Langan on January 23, 2020 subsequent to a Utility Coordination meeting with the FDOT for their project? The FDOT project for SR 826 (FP # 436525-2-52-01) includes some redesign work between NE 35 Avenue and SR A1A as well as the bascule bridge refurbishment. The project is scheduled to be let by FDOT in the Fall of 2020.

   Response: Applicant is coordinating with FDOT. The enclosed plan incorporates the proposed improvements. Below is an overlay of the two projects. Minor revisions to Applicants' plans will be made after the FDOT construction has been completed and the project is submitted for site plan approval. The dark green represents the Applicant's current plans and the brown is the FDOT proposed plan.



5. Zyscovitch plans L-203 key plan does not match plan.

   Response: Sheet L-203 has been revised accordingly.

6. Langan plans do not reflect the FDOT parcel acquisition.

   Response: Langan plans have been revised to reflect the FDOT parcel.

7. Langan plans sheet CU101 still have notes about the proposed building above the water main with 15 ft clearance. This should be updated. The existing water main to which you are connecting to on NE 35 Avenue is a 20" wtm not 12" wm. The connection on NE 163 Street is not a 20" wtm it is 30" wtm. It is not clear what the water main connection is at the NE corner of the site. An 8" water main that goes where? There seems to be a disconnect with Langan and the Water Department?

   Response: Sheet CU101 has been revised to reflect this information, as coordinated with the Water Department.

8. Since a right of way dedication is no longer contemplated on NE 35 Avenue. The Langan plans still show it. I see it labelled as a 50' buffer on Zyscovitch plans. I now hear (after

the TRAD resubmittal package), it may be 20 feet dedication. All parties need to be on the same page so the plans are better coordinated.

Response: The enclosed plans have been revised to reflect 20' dedication.

9. Based on the concurrency response from DERM received on March 23, 2020, the County Pump station #466 that will be relocated as part of this project, will likely need to be upsized to accommodate the much larger flows/demand of this project as compared to the existing flows into the County system. This will be a critical issue to resolve for final County approval.

   Response: Acknowledged. The new pump station will meet WASD standards to accommodate adequate flows and/or demand in connection with the proposed project. Pump station #466 will be relocated and up scaled to accommodate for larger flow due to new development demands.

SECTION III. PUBLIC WORKS

1. Florida Power & Light Sub- station along Sunny Isled Boulevard: "no changes are proposed and roadway connections to station will be improved".

   No further comments.

2. Define clearly whether any works are proposed for the existing Miami-Dade Water and Sewer Pump Station #426, adjacent to the FPL Sub-station. Coordination with MDWASD would be required. **Refer to sheet CU101 for location of proposed WASD station.**

   a. It is not clear whether the existing Pump Station #426 will be decommissioned.

      Response: The existing Pump Station #426 will be decommissioned.

   b. The proposed station (65' x 45') is located in a 50' wide (min) open space, at the western side of the Community Facility in Block N1. However, Site plan indicates that the space was reduced to 20'. What will happen to the proposed pump station?

      Response: The enclosed plans reflect the location of the proposed 65' x 45' station. The Applicant will be providing a dedication for the portion of the pump station within the Property.

3. Consultation with FDOT is necessary for the proposed development and its impact on the SR #826. **Both Applicant and City are coordinating with FDOT.**

   No further comment.

4. Consideration should be given to incorporating resiliency concepts including raised seawall cap. If such measures are proposed, clearly indicate, e.g. the proposed height of infrastructure. **Proposed design will incorporate resiliency concepts to ensure the maintenance of water quality; compliance with M-D County and navigational safety standards.**

   No further comment.

5. New waterway will require various environmental permits including, but not limited to, DERM, FDEP, SFWMD, and US Army Corp of Engineers. **Acknowledged.**

   No further comment.

6. All franchised utilities (power, phone, cable) shall be installed underground to increase aesthetics and resiliency. Utilities along the NE 35 Avenue must also be included. **Noted. Plans have been updated accordingly.**

   No further comment.

7. Lift Station in center median on NE 35th Avenue is proposed to be relocated; provide clear details of proposed new facility. Also consider amendments to the other station located at the northwestern corner of the property.

Proposed public gravity sewer main will connect to MDWASD pump station. The proposed pump station will replace the existing station near NE 35 Ave and NE 164 Street.

Comment #2 above highlights potential issue of proposed pump station. Please review.

Response: Please refer to our response to comment #2 above.

8. Provide extension of natural gas line along NE 35th Avenue, from 3405 NE 163 Street. Estimated cost for line extension is $865,000.

Acknowledged. Design of gas line will be completed by utility company.

The City will liaise with the utility company to expedite designs for incorporation into ongoing designs for upgrade of NE 35 Ave. Works proposed to be funded from Public Infrastructure and Streetscape Assessment Fund.

Response: Noted.

9. Incorporate roadway construction improvements on NE 35th Avenue from NE 163 St to NE 171 St (including bike facilities) as part of roadway improvements to mall entrance of NE 35th Ave. This project has been designed and is in the permit process. **Acknowledged.** Part funding for these works are proposed to be included in Section 7, Draft Development Agreement

Response: Acknowledged.

10. Include trolley pullout bay on NE 35th Avenue and trolley station built to City Standards.

Acknowledged.

An air-conditioned transit facility with appropriate amenities should be included in development, and satisfactory to the City.

Response: A bus/trolley pullout bay on NE 35th Avenue and premium transit shelter will be provided. The shelter design and functionality will comply with City Standards. A conceptual prototype design is provided in the revised plans.

11. Redevelopment of Tot Lot must be included in development project. Provide details of works for incorporation.

Acknowledged. An expanded playground area is proposed adjacent to the existing Tot Lot.

No further comment.

12. Sheet L-203: The insert highlighted on the Key Plan is at the wrong location.

Response: Sheet L-203 has been revised accordingly.

13. Draft Development Agreement, Section 7: it is suggested that roadway improvements along SR 826/NE 163 St and NE 35 Ave are undertaken "prior to the issuance of certificate of occupancy" for conditional stages of development. However, there is no assurance that once roadway development has been completed, the developments are guaranteed. Therefore, we request an amendment to Section 7 of the Agreement, stating clearly that there will be no intersectional improvements on NE 35 Ave and NE 163 St prior to substantial completion of the development.

Response: The project is intended to be a phased development, and the majority of the roadway improvements are slated to be completed prior to the completion of the first building.

14. The developer must allow for connection from Intracoastal Mall to Oleta State Park as part of a broader recreational connectivity plan.

Response: The project incorporates enhanced bicycle and pedestrian connectivity to Oleta State Park. Please see Sheet A1-26.

15. Do not enter signs will be required at each of the one-way truck loading bays of Blocks S1 and N1 (2 for each, 4 signs total).

Response: The enclosed plans have been revised accordingly. Please see Sheet CS101.

16. Clarify why a "yield to pedestrian" sign is proposed at the SW corner of Block S2 instead of a stop sign and right turn only sign.

Response: The enclosed plans have been revised accordingly. Please see Sheet CS101.

17. Add Stop signs to the loading zone exit at Block N1.

Response: The enclosed plans have been revised accordingly. Please see Sheet CS101.

18. It appears that the stop sign called for at the signalized intersection between Blocks N1 and C1 is not necessary.

Response: The enclosed plans have been revised accordingly. Please see Sheet CS101.

19. All crosswalks will require crosswalk signage per latest edition of M.U.T.C.D.

Response: The enclosed plans have been revised accordingly. Please see Sheet CS101.

20. On Sheet CP106, Detail "I", the SU-30 truck encroaches on-coming traffic lane twice.

Response: The enclosed plans have been revised to correct this condition. Please see Sheet CP106.

21. Clarify off-site improvements; it is unclear what improvements are existing and what are proposed.

Response: The project proposes improvements including signalizing the intersection of SR 826/NE 163 Street and Intracoastal Mall Driveway which will also include:

- **The addition of one (1) southbound left-turn lane**
- **The addition of one (1) southbound right-turn lane (two total) right-turn lanes**
- **The addition of one (1) eastbound left-turn lane,**
- **The addition of one (1) receiving lane to the west leg.**
- **A westbound buffered bicycle lane**

The new signal would operate similar to the current operations of the signalized intersection of SR 826/NE 163 Street and NE 35 Avenue with eastbound partial continuous green T-intersection, signalized southbound left- and right-turn lanes, signalized eastbound left-turn lanes, and signalized westbound through and right-turn lanes.

Furthermore, the proposed improvements include the addition of one (1) eastbound left-turn lane at the intersection of SR 826/NE 163 Street and NE 35 Avenue and the elimination of the exclusive westbound left-turn lane along Frontage Road at NE 34 Avenue. The intersection of SR 826/NE 163 Street and NE 35 Avenue is proposed to be modified to remove the eastbound partial continuous green T-intersection as well as the exclusive pedestrian phase. The configuration of this intersection is proposed to include signalized eastbound through and left-turn lanes, signalized southbound left and right-turn lanes, and signalized westbound through and shared through/right-turn lanes. An enhanced pedestrian refuge island is also proposed.

The signalized intersection of NE 164 Street/Intracoastal Mall Driveway and NE 35 Avenue was modified for the following improvements:

- **Two (2) westbound left-turn lanes and one (1) shared through/right-turn lane**
- **Northbound U-turn movements will be allowed for passenger vehicles**

22. Consider including the newly acquired property on the provided survey in subsequent submittals to avoid confusion.

Response: A revised survey including the recently acquired property has been prepared and is included in this resubmittal.

SECTION IV. PARKS AND RECREATION

1. What amenities are planned in the community facility?

   Response: This space will be amenitized in accordance with input gathered from the members of the community. Details will be provided at the time of site plan approval for the facility.

2. Have they communicated with the Eastern Shores neighborhood on what amenities the neighborhood wants?

   Response: A focus group meeting for residents of North Miami Beach was held on January 28, 2020. Applicant is coordinating with stakeholders to schedule a Town Hall meeting with members of the Eastern Shores neighborhood as soon as such a meeting is feasible and appropriate.

3. NE 35th avenue multi-layer barrier – does this or can this include a low hedge at 3-4'

   Response: The multi-layer barrier along NE 35 Avenue has been revised to include a 3-4' hedge.

4. The tot Lot area are two separate gated areas or one larger area for both? If two separate areas, parents/guardians with different age children will have a hard time supervising those children in both areas at the same time.

   Response: The Tot Lot area consists of one large area that is not physically separated.

SECTION V. SOLID WASTE

1. Indicate types and sizes of garbage containers planned to be used for each structure (Open top, vertical compactors or roll off compactors)

   Response: The proposed master plan is intended to be conceptual. The types, and sizes of garbage containers will be determined at the time of site plan approval.

2. Indicate locations for all garbage containers for each structure

   Response: The garbage containers are anticipated to be located in the loading areas for each build. Detailed locations will be provided at the time of site plan approval for each buildings/phase.

3. Section N3 is listed as townhomes, is it intended for these units to be serviced with individual 96-gallon carts via ASL?

   Response: Trash service requirements will be determined at the time of site plan approval for each buildings/phase.

4. Since this development is mixed usage, there will be no bulk trash removal service

   Response: Acknowledged.

5. All garbage service is to be provided by the city of North Miami Beach or its contractor which is currently Waste Management

   Response: Noted.

SECTION VI. PLANNING & ZONING

General Comments:

1. Hotel, part of Block N2, shall be constructed in the *Tower Building* typology. Per Table MU/EWF-2 Maximum Permitted Height (1): Buildings higher than 8 stories shall only be developed per the *Tower Building* type standards

   Response: Acknowledged. See Sheet A1-34 for the notation.

2. Pavers vs. Crosswalks: there appears to be a conflict with the paths created by the proposed paver design on the Primary Boulevards vs. required crosswalks. Some of these crosswalks appear to be located too close to intersections.

   Response: The crosswalk designs have been modified to better identify pedestrian paths.

3. Provide a legend for the street cross section labels.

   Response: A legend for the street cross section labels has been provided. Please refer to Sheet A1-16 and each section has a location map.

4. Buildings N1, S2, and S3 exceed the permitted building length (300 feet) for buildings in the MU District. See Sheet A1-22 and refer to Sec. 24-58(S)(1)(a) for code requirement. Requires a variance from code.

   Response: As discussed, and as contemplated in the letter of intent, the Applicant is seeking approval of a text amendment of Section 24-58(S)(1)(a) to allow properties in the MU/EWF district to have a maximum building horizontal dimension of 560 feet.

Development Agreement:

1. City Attorney's Office comments are pending and shall be incorporated into these comments when they are published.

   Response: Noted.

2. What is the purpose of Section H of the Development Agreement? This needs to be discussed further.

   Response: Section H of the Development Agreement has been revised pursuant to our discussions with the City Attorney. The Applicant is working with the City Attorney to finalize the terms of the Development Agreement and a revised draft will be provided for review under separate cover.

3. Sections I, 10 and 11 should be amended to accept the annual impact fee escalator that is built into the impact fee ordinances. This is typically a 3% increase annually. An impact fee table and ordinance were provided to you previously.

Response: The Applicant is working with the City Attorney to finalize the terms of the Development Agreement. This submittal includes the current draft of this instrument but revisions may be made as a result of feedback provided during the ongoing review and hearing process.

4. Section I-14, Denial process is not correct. The City Commission has final authority over site plan approval. Appeals of a site plan denial would go to court. This process should be confirmed with the City Attorney.

   Response: This section of the Development Agreement has been removed pursuant to our discussions with the City Attorney. A copy of the draft Development Agreement is provided with this resubmittal.

5. Premium Transit Facility. The City has a high priority in ensuring that a premium transit facility is planned for this development to encourage residents and visitors to utilize the available transit options. Although, a design is not warranted at this stage of the process, a public benefit term in the Development Agreement may provide an outline for such facility going forward with the details to be clarified in the future. This term shall include features such as, but not limited to, climate controlled shelters/facilities, digital routing displays, seating, and WiFi hotspots.

   Response: Noted. This concept has been incorporated under Exhibit F-1 to the Development Agreement "Roadway Transportation Facilities."

6. TDM Strategies shall be outlined in the agreement and in the phases of development.

   Response: The entire project has been designed to incorporate public transit, carpooling, vanpooling, ridesharing, walking, and cycling features. This is a wholly mixed-use development that actively encourages a live, work, play lifestyle – a lifestyle that does not require a car. Features will include, but are not limited to, bicycle parking, bicycle lanes, shared use paths, ride sharing locations, and van/carpooling at the offices.

7. Public Benefit Analysis & Assessment. The recommendations/conditions from the Economic Study & Public Benefit Assessment analysis will need to be included in the Development Agreement. The review of the study and public benefit analysis is being performed by the City's consultant Lambert Advisory and shall be incorporated into these comments.

   Response: The Fiscal Impact Study dated March 25, 2020, and prepared by Integra, found that in addition to the $800,000 the Developer is committing as the Public Benefit Assessment, the project will create a windfall benefit for the City:

   > **"The overall economic impact to the City of North Miami Beach would be demonstrable, representing the creation of on-going employment of an additional 2,600 – 2,700 jobs, plus the increase of the Ad Valorem Taxes of $11 Million per year upon completion and stabilization/sell-out period, which represents a 63% increase over the existing real**

estate tax base. The construction of the project will also generate approximately $7.2 Million in Impact Fees for the City of North Miami Beach."

8. Development Phasing Plan Commensurate with Public Benefits/Improvements. Provide a plan showing how public benefits and improvements will be constructed/implemented for each phase of development. Include the cost of the benefit/improvement and the estimated construction cost of each phase. This information may come out of the recommendations from the Economic Analysis & Public Benefit Assessment Study.

   Response: A development phasing plan is included with this submittal. Please refer to Sheet A-30. It is important to note that the proposed project phases, as shown in the enclosed phasing plan, are conceptual and have been estimated based on existing and predicted market and other conditions, which are anticipated to change over time. These may vary due to fluctuations in the market, as well as result from internal and external forces (including lease terms, retail, residential and/or office market forces, environmental factors, or other issues). The timing and order of phases shall be adjusted administratively.

   Based on the Fiscal Impact Study dated March 25, 2020, and prepared by Integra Realty Resources (the "Fiscal Impact Study"), the total construction budget for the proposed project is estimated to be +/-$1.5 Billion. This estimate excludes the entrepreneurial incentive, developer's profit, the land acquisition cost, and the costs relating to the demolition of existing improvements. The estimated construction costs and public benefits for each phase will be provided under separate cover.

9. A Conditional Use request for the hotel is required. This can be done at site plan approval request and can be a condition/addressed in the development agreement.

   Response: As discussed with City Attorney, as part of the City's proposed text amendments for the mixed-use zoning districts, hotel will be included as a permitted use within the MU/EWF zoning district.

10. Development Agreement should outline the process by which you will address the Parks & Recreation Department's comments regarding the community facility, design input from the Eastern Shores Neighborhood, and operation responsibilities between the City and developer.

    Response: The Development Agreement has been revised to include the community facility as a public benefit under Section 9.7.

11. See Public Works comments and recommended conditions/terms.

    Response: Acknowledged.

12. Phasing plan will be needed prior to finalizing the development agreement in order to determine when identified public improvements may be warranted.

Response: Noted. A phasing plan is provided as an exhibit to the Development Agreement.

Letter of Intent

1. In LOI correct all instances of NW 35 AVE to NE 35 AVE.

   Response: The enclosed letter of intent has been revised accordingly.

Modified MU Regulating Plans.

1. Building Heights Regulating Plan (modified): include linear dimensions (in red) similar to existing regulating plan (Figure MUEWF-4)

   a. Superimpose the building height regulating plans

   Response: The Building Heights Regulating Plan has been revised accordingly.

2. Identify all street names/numbers. Clarify NE 164 ST location for amendment to Sec.24-58.7(G)(1)(d).

   Response: Street names/numbers and location of NE 164 Street have been provided.

Master Development Plans.

1. Regulating Plan (modified): Remove Elevated Park from proposed regulating plan diagram. Confirm ground park area, shall total 65,000 SF. UPDATE REQUIRED to diagram to show 65,000 SQ. FT. of open-space/park on ground level of site.

   a. Provide a comparison of the new proposed Open Space Regulating Plan compared to existing regulating plan in Zoning Code.

   Response: Regulating Plan has been updated to show 65,000 SF of open space on ground level. In addition, a comparison of the proposed and existing Open Space Regulating Plan has been provided with this submittal.

2. Sheet A1-29: what does the thinner dashed line along the west building line represent, add label.

   Response: The lines have been adjusted and clarified.

3. Sheet A1-31: show details 2nd Floor Terrace over proposed canal on the street section for this area.

   Response: Sheet A-31 has been revised accordingly.

4. Sheet A1-37: bus stop will need to be relocated because the plan sheets are no longer consistent. Show new location and update all associate plan sheets.

Response: Sheet A-37 has been revised to show new bus stop location.

5. Sheet A1-38: provide dimensions for Street Section "I". Show location of bike lanes for this street section. Plan sheets are not consistent with new site plan.

   Response: Sheet A-38 has been revised accordingly.

6. Sheet A1-39: street section does not include bike lane along NE 163rd Street. Plans not consistent with new site plan. Include dimension of space labeled "g" on the street section.

   Response: Sheet A-39 has been revised accordingly.

7. Sheet A2-2: rendering for Building S-4 does not show a setback from the tower and podium.

   Response: The tower depicted on block N2, Sheet A2-2, is at the end of a street vista which by Code is permitted to have a minimum setback of 0 ft. from the podium.

8. Sheet L-203 correct inset location map. It shows NE 35th Ave, but the key plan references the east portion of the property.

   Response: Sheet L-203 has been revised accordingly.

<u>Supplemental Comments Issued on May 18, 2020:</u>

1. Include legend for labels used in street sections.

   Response: A legend has been provided accordingly.

2. Update plan sheets and street sections with updated Building Heights in latest proposed text amendments (Max 32 Stories/ 425 FT). Refer to Building Height Regulating Plan, Sheet A1-15; Section F, Sheet A1-36; & Street Sections, Sheet A1-32.

   Response: Plan sheets and street sections have been updated in accordance with the latest draft of the proposed text amendments.

3. Renderings shall also be updated to reflect scale down in tower height along NE 163 ST. (Development Program Sheet A1-17; Aerial Perspective Sheets: A2-1, A2-2, A2-2, A2-8).

   Response: All renderings have been updated accordingly.

4. Remove rooftop park areas shown, if no longer part of the open space development program. Refer to Aerial Perspective Sheets: A2-1, A2-3, A2-4, A2-5, A2-8.

5. **Response: Rooftop park areas have been removed accordingly.**

SECTION VII. TRAFFIC / CONCURRENCY

Transportation

Methodology

1. **Introductory Paragraph:** The methodology includes the analysis for a redevelopment that consists of 345,000 square feet of retail space, 2,000 multifamily residential units, 200,000 square feet of office space and 25,000 square feet of gym space. The application's diagrams consist of 400,000 square feet of retail space, 2,000 multifamily residential units, 200,000 square feet of office space, 25,000 square feet of gym space, 175 hotel rooms and a fire station. The applicant's letter of intent provides for 380,000 square feet of retail space; 2,000 multi-family residential units, up to 200,000 square feet of office space, and public spaces. The Traffic Impact Study should evaluate all land use categories identified in the redevelopment.

   Response: The proposed development program used in the traffic study has been updated to include 200,000 square feet of office space, 280,000 square feet of retail space, a 50,000 square-foot supermarket, 45,000 square feet of gym space, 2,000 multifamily residential units (35 Low-Rise, 48 Mid-Rise, and 1917 High- Rise units), and a 250-room hotel. The updated traffic study in included with this resubmittal. Note that the results of the traffic analysis did not change.

   Corradino Response*:* Comment addressed.

2. **Peak Hour Trip Distribution, Figure 4:** The driveway north of NE 164th Street shall be evaluated as part of the Traffic Impact Study.

   Response: The analysis has been updated to include the driveway north of NE 164 Street.

   Corradino Response: Comment addressed.

3. **Conceptual Improvements Figure:** The proposed northbound left-turn lane closure removes the entrance to the existing development on the northwest corner of NE 163rd Street and NE 35th Avenue. This improvement needs to be reevaluated to provide an alternate route for entrance to this development along NE 35th Avenue.

   Response: The site can be accessed via the driveway on the Kings Realty Plaza. The median along NE 35th Avenue will be modified to include an opening at the driveway on the north side of the site for Alternatives 1 and 2. Note that for Alternatives 3 and 4 the existing access on NE 35th Avenue will be maintained. Updated conceptual plans can be found in the updated traffic study.

   Corradino response: Comment addressed.

4. **Attachment A – Conceptual Site Plan and Location Map:** In the Site Plan provided in Attachment A of the Traffic Study Methodology, the development in N1 is shown as

Supermarket. In the materials provided in the application, this same development is shown as retail. The land use type for this development needs to be clarified to ensure that the correct trip generation is beingutilized.

Response: The development program used in the traffic study as well as the site plan have been updated to include 200,000 square feet of office space, 280,000 square feet of retail space, a 50,000 square-foot supermarket, 45,000 square feet of gym space, 2,000 multifamily residential units (35 Low-Rise, 48 Mid-Rise, and 1917 High-Rise units), and a 250-room hotel.

Corradino response: Comment addressed.

5. **Modal split:** Modal split assumptions shall be supported by demonstrated access to and within the site, including pedestrian, bicycle, water and bus transit facilities.

Response: Please refer to Sheets A1- 23 through A1-26 for graphics of multimodal access to the site.

Corradino response: The multimodal reduction is accepted on the condition that the applicant provide further detail on transit infrastructure improvements and improved bicycle and pedestrian connection along the roadway corridors for the site plan review.

Response: The project contemplates two connection points, one along NE 35 Avenue and another along NE 163rd Street. Please refer to Sheets A1-23 though A1-26 for details.

6. **Police Substation:** If the City requests a police substation as provided for by the code of ordinances for this district, it shall be included in the traffic study methodology.

Response: Emergency services are exempt from transportation concurrency, the impact of the police station shall not be evaluated as part of this application. Therefore, it will not be included.

Corradino Response: Comment addressed.

7. **Additional Comment**: Approval from the FDOT access management board is critical for this project to move forward. Tables 3 and 4 indicates that the WB approach at NE 35th Avenue and NE 163rd Street will fail if the improvements are not made. Also, Table 5 and 6 in the Traffic Impact Study show that the queue for the future total conditions without improvements will overburden this intersection as the SB left turn queues for the AM and PM are over capacity and longer than the turn bay length provided. These improvements are also required to meet the City of North Miami Beach's Eastern Mixed-Use Waterfront District code requirements.

Response: Applicant has submitted proposed improvements to FDOT and comments have been received and responses resubmitted to FDOT. These responses are included in the enclosed updated traffic study.

8. **Additional Comment**: Additional comments may be provided upon further review during the site plan submittal. A traffic impact study that is specific to the site plan submitted needs to be provided at that time.

Response: This project has been analyzed in a holistic basis taking into account the proposed development program. A trip generation statement will be provided at the time of site plan approval for each phase of development to determine whether said phase is in compliance with the traffic impact analysis approved for the project.

Circulation/Access

1. **Circulation, Page A1-20:** A figure should be included that illustrates the egress points and patterns for vehicle and loading circulation.

Response: The proposed Master Plan is conceptual. Egress points and patterns for vehicle and loading circulation will be provided at the time of site plan review.

Corradino Response: Comment accepted on condition that the egress points and patterns for vehicle and loading circulation are provided at the time of site plan review.

Response: Acknowledged.

2. **Circulation, Page A1-20:** The vehicle circulation will be problematic when the promenade streets along the canal are closed for events. The circulation plan during events should be evaluated for potential impacts to the ingresses and egresses and NE 35th Avenue.

Response: The proposed Master Plan is conceptual. The circulation plan during events will be addressed at the time of site plan review.

Corradino Response: Comment accepted on condition that the circulation plan during events is addressed at the time of site plan review. In additional, due to the configuration of the grid, comment is also accepted on condition that any mechanisms for closure are designed for quick removal, and easy, continued access by emergency services.

Response: Acknowledged.

3. **Fire Lanes:** No Fire Lanes are noted within the Plan.

Response: The proposed Master Plan is conceptual. Fire Lanes will be provided at the time of site plan review.

Corradino Response: Comment accepted on condition that Fire Lanes are provided at the time of site plan review.

Response: Acknowledged.

4. **Access:** Applicant shall explore if site needs an additional ingress/egress on the southern edge of the site, and if not, justify having only one ingress/egress point on the southern side of the site.

   Response: Additional Ingress/egress on the site will be considered at the time of site plan review.

   Corradino Response: Comment accepted on condition that ingress/egress on the site will be considered at the time of site plan review.

   Response: Acknowledged.

5. **On-street loading areas:** Applicant shall explore needs for pull-ins/outs for bus loading areas and passenger loading zones throughout the site.

   Response: Pull-ins/outs for bus loading areas and passenger loading zones throughout the site will be addressed at the time of site plan review.

   Corradino Response: Comment accepted. This comment has been addressed in the Conceptual Master Plan.

Transit

1. **Transit, Page A1-21:** The proposed trolley stop is located at the bottom of a shared thru and right turn lane bay. This location needs to be reevaluated to address the problems this will cause with vehicle queue and safety concerns. The proximity of the trolley stop to the most transient portion of the development shall also be evaluated.

   Response: Our team will coordinate with the City and Miami-Dade Transit on selecting the appropriate location.

   Corradino Response: Comment addressed.

2. **Transit, Page A1-21:** The proposed trolley line is drawn incorrectly. The proposed line shows the trolley traveling north on NE 35th avenue between the first ingress location and NE 164th Street. The first ingress location is a one-way only, therefore this movement cannot occur.

   Response: The existing and proposed transit connections are shown on Sheet A1- 27.

   Corradino Response: Comment addressed.

3. **Transit, Page A1-21:** Applicant shall demonstrate how transit stop placement as proposed will achieve City's Comprehensive Plan Future Land Use Policy 1.2.15, Future Land Use Policy 1.8.1, Future Land Use Policy 1.8.8, Transportation Element Policy 1.1.3, and Transportation Element Policy 1.2.8. The transit plan as presented reduces the viability of transfer between transit systems from current conditions.

Response: The existing and proposed transit connections are shown on Sheet A1- 27. In addition, the projected impacts of the proposed redevelopment meet the required levels of service. You will note that with the proposed plan revisions the transit plan improves the current transit conditions in compliance and in furtherance of the City's Comprehensive Plan Future Land Use Policy 1.2.15, Future Land Use Policy 1.8.1, Future Land Use Policy 1.8.8, Transportation Element Policy 1.1.3, and Transportation Element Policy 1.2.8, which generally encourage the redevelopment to promote mixed-use development, which is vertically and/or horizontally integrated, pedestrian-friendly, with multi-modal transportation connectivity to other areas to encourage mass transit, and reduce the need for automobile travel.

The proposed development consists of a well-integrated mix of land uses, and creates and enhances community-befitting assets with over 425,000 square feet of open space, including green area, plazas, seating areas, colonnades, and shaded landscaped areas. The project contemplates the safe, interconnectivity of vehicular, pedestrian and other non-motorized movement, by providing various egress/ingress access points, bus stops and transit connections, and a pedestrian and bicycle friendly environment. The project's design and mix of uses fosters walkability by interconnecting to the network of pedestrian friendly streets, creating a network of sidewalks within the Property, and creates distinctive, attractive project with a strong sense of place through its unique architecture, site planning, walkability, connection to a variety of transportation choices, enhancement of neighborhood identity, and its choice of landscape materials and amenities, including the proposed canal.

Corradino Response: Comment conditionally accepted on the condition that applicant addresses the change in existing bus/trolley stop location and this change's effect on transfers, through the planning of collocated bus stops to facilitate improved transit accessibility and transferability. Currently, stops for multiple lines are situated in close proximity or collocated in order to facilitate transfers on-site and provides direct door-to-door access from origin to storefront. The current master plan as proposed reduces this transferability through its location of new stops around the proposed site's edge.

Response: The existing bus/trolley stop location will remain and not be relocated on NE 35th Avenue. It has been determined that no additional on-site bus/trolley stops will be provided as this would negatively impact transit vehicle headways.

4. **Transit, Page A1-21:** The Sunny Isles Trolley Orange Line currently has the main transfer hub (Stop 37) to North Miami Beach at this site location. This existing line needs to be depicted in the Transit Plan.

Response: The existing and proposed transit connections are shown on Sheet A1- 27.

Corradino Response: Comment not addressed. Please label the Sunny Isles Trolley Orange Line on Sheet A-27.

Response: See Sheet A1-27.

5. **<u>Transit, Page A1-21</u>:** The intersections being utilized in the transit plan must demonstrate the ability for travel and turns by the existing trolley vehicle stock and potential future vehicle stock.

Response: Noted. Please see revised plans showing existing and proposed transit connections are on Sheet A1-27.

Corradino Response: Comment accepted on condition that ability for turns by existing trolley and potential vehicle stock turning template is provided for site plan review.

Response: Acknowledged.

6. **<u>Transit, Page A1-21</u>:** Clarification needed on existing transit infrastructure and any replacement, addition, or removal.

Response: Please see revised plans showing existing and proposed transit connections are on Sheet A1-27.

Corradino Response: Comment accepted on condition that clarification on existing transit infrastructure and any potential replacement, addition or removal are provided for site plan review.

Response: Acknowledged.

7. **<u>Conceptual Striping and Signage Plan, Page CS101</u>:** Transit stop markings and signage not indicated at proposed stop location from page A1-21.

Response: Plans have been revised accordingly.

Corradino Response: Comment accepted on condition that applicant must provide applicable bus stop and water taxi signage for site plan review.

Response: Acknowledged.

8. **<u>Transit, Page A1-21</u>:** Applicant shall explore opportunities to provide premium transit, including hubs, within the site, and account for transit access given the site's size and development pattern. At least 3 transit stops should be considered. On-site transit transfers between different transit lines (Miami-Dade Transit, North Miami Beach, Sunny Isles Beach), as well as the proposed water transit, should be included. Transit stop amenities and associated first-last mile infrastructure which will encourage transit usage, given local conditions, should be included in the conceptual plans.

Response: Noted. The project complies with this as it contemplates various transit connections including a bus stop and trolley stop along NE 35th Avenue, a bus stop along 163rd Street, and the water taxi.

Corradino Response: Comment partially addressed. The applicant should clarify intent of connections between different transit, not just the provision of stops. The applicant should

also clarify how it will address the change in transfers and the potential colocation of routes/stops. Currently, locations of bus stops are situated to provide easy transfers for riders between different systems. The master plan as posited looks to reduce the ease of transfers between the three systems. Clarity also needed on A-27 regarding the movement of the current Orange Line stop.

Response: Sheet A1-27 has been revised to show existing and proposed routes.

9. **<u>Transit, Page A1-21</u>:** Water transit system's intent, including stop locations, should be clarified.

Response: Please see revised plans showing existing and proposed transit connections are on Sheet A1-27. Details regarding water taxi operations will be provided at the time of site plan approval.

Corradino Response: Comment accepted on condition that water taxi operations information are provided at the time of site plan approval.

Response: Acknowledged.

<u>Waterfront Access</u>

<u>Sec. 24-58.7(A) provides a requirement for public access to waterways:</u>

1. Applicant shall clarify inconsistencies between renderings and civil drawings and demonstrate the required public access from the western edge of the site.

Response: Acknowledged.

Corradino Response: Comment addressed.

2. Applicant shall demonstrate public access to waterfront via pedestrian and bicycle access from the southern edge of the site.

Response: Acknowledged. See Sheet A1-26.

Corradino Response: Comment addressed.

3. Applicant shall clarify waterfront accessibility and planning for non-motorized water transit and activities, jetskis, and considerations for dockmasters as part of the conceptual plans for the proposed canal, boardwalk/intracoastal waterway, and along the existing waterfront on the northern edge of the site.

Response: The proposed Master Plan is conceptual. Details regarding water activities and operations will be provided at the time of site plan approval.

Corradino Response: Comment accepted on condition that details regarding water activities and operations will be provided at the time of site plan approval.

Response: Acknowledged.

Pedestrian/Bicycle

1. **Conceptual Striping and Signage Plan, Page CS101:** A North-South crosswalk at the intersection North of NE 164th Street and NE 35th Avenue needs to be included.

Response: A crosswalk has been provided at NE 164th and NE 35th Avenue.

Corradino Response: Comment has not been addressed. Please include crosswalk on Sheet CS101.

Response: A crosswalk has been provided on both the east and west sides of NE 35 Avenue at NE 164 Street.

2. **Conceptual Striping and Signage Plan, Page CS101:** It is unclear how pedestrians have cross street access from/to the townhouses in the northern quadrant of the development.

Response: There is a crosswalk along NE 35 Avenue along the park as well as a mid-block crossing at the N2 block. Pedestrians can also walk along the waterfront promenade that connects the entire site.

Corradino Response: Comment not addressed. Please include these crossings on Sheet CS101.

Response: The crossings have been included on Sheet CS101.

3. **<u>Conceptual Striping and Signage Plan, Page CS101</u>:** There is no pedestrian access to/from Oleta River State Park depicted within this application. This access is extremely important for connectivity to the Park.

   Response: Pedestrian and bike access are proposed along the north side of NE 163 Street west towards NE 34 Avenue connecting to Oleta River State Park.

   Corradino Response: Comment addressed.

4. **<u>Conceptual Striping and Signage Plan, Page CS101</u>:** The offsite bicycle pathways are not continuous in these plans or the latest Alternative improvements provided by the City. The pathways shown do not connect with the North Miami Beach Master Plan or the Sunny Isles Beach Master Plan. There is no direct onsite access from the offsite bicycle facilities provided.

   Response: Bike access is proposed along the north side of NE 163 Street west towards NE 34 Avenue connecting to Oleta River State Park and the existing bike lane along 163 Street.

   Corradino Response: Comment accepted on the condition of approval by the City of North Miami Beach and FDOT. Any subsequent plans should ensure bi-directional bicycle access.

   Response: Acknowledged.

5. **<u>Conceptual Striping and Signage Plan, Page CS101</u>:** The improvements along NE 163rd Street will realign the roadway. There shall be an evaluation on optimal placement to reduce level of stress and conflict points with vehicular traffic flow, including safety to be consistent with Comprehensive Plan Transportation Element Policy 1.5.1.

   Response: Acknowledged

   Corradino Response: Comment addressed.

6. **<u>Application documents</u>:** Within the application documents, there is not enough information on bicycle circulation or facilities within the development. Bicycle Parking is required under district regulations 24- 58.7(M) and associated plans and must be provided for review.

   Response: See Sheet A1-26 for the on-site bicycle and pedestrian network throughout the site.

   Corradino Response: Comment accepted on condition that adequate bicycle parking is provided per district regulations 24-58.7(M) for site plan review.

   Response: Acknowledged.

7. **Bicycle:** Additional consideration should be provided for continuous facilities for bicycle access along NE 163rd Avenue.

Response: Connections from the site to the existing bike lanes along NE 163 Street are provided.

Corradino Response: Comment accepted on condition of approval by City of North Miami Beach and FDOT. Applicant demonstrates that an additional bicycle lane will be added west of the site; however, it is unclear whether this will be a one-way facility. If so, the question remains on the return trip, and where people may cross from other facilities, and any corresponding improvements. Applicant should further clarify improvements for travel on a bi-directional basis. Further, bicycle connections to Sunny Isles should be considered with any roadway improvements.

Response: Sharrow pavement markings will provided in the westbound frontage road west of NE 35 Avenue. Note that a 10-foot sidewalk (shared-use path) is provided along the north side of NE 163 Street west of NE 35 Avenue allowing for bi-directional pedestrian and bicycle travel. The project also proposes to construct a westbound buffered bicycle lane on NE 163 Street fronting the redevelopment.

8. **Bicycle:** Current bicycle lane project undertaken by City Public Works along NE 35th Avenue should be reflected in the conceptual planning.

Response: Acknowledged.

Corradino Response: Comment addressed.

9. **Open Space, Page A1-22:** Additional clarification is needed for the semi- public space noted as "Terrace 2nd Floor" East-West, including pedestrian circulation and accessibility.

Response: See Sheet A1-26 for the on-site pedestrian network throughout the site both at ground level and along the second-floor retail terraces linking from building to building with vertical access points noted.

Corradino Response: Comment addressed.

10. **Pedestrian:** Conceptual spacing of seating for pedestrians' site-wide shall be clarified. Incorporation of any technology to enhance pedestrian accessibility, mobility, and encouragement for walking activity should be noted and clarified as applicable.

Response: The proposed Master Plan is conceptual. Details regarding site- wide street furniture will be provided at the time of site plan approval.

Corradino Response: Comment accepted on condition that site-wide street furniture will be provided at the time of the site plan approval.

Response: Acknowledged.

11. **<u>Additional Comment</u>**:

<u>Pedestrian</u>. Various pages in the proposed conceptual plan as provided in the revisions show roadway coloring which may be construed by pedestrians as crossings. In some instances, the distance between these areas that can be construed as crosswalks are too close to the intersection; this type of safety issue should be mitigated in any subsequent design.

Response: The conceptual plan has been revised to provide clarification.

<u>Parking and Loading Space Requirements</u>:

1. **<u>Development Program Page A1-15</u>:** Applicant shall clarify the number of parking spaces available by providing the total number of available spaces for each category of use. Applicant shall provide an updated number once inconsistencies in the development program between the Letter of Intent and Page A1-15, as noted elsewhere in the comments, are addressed.

   Response: The proposed Master Plan is conceptual. Details regarding parking spaces for each use will be provided at the time of site plan approval.

   Corradino Response: Comment accepted on the condition that details regarding parking spaces for each use will be provided at the time of the site plan approval.

   Response: Acknowledged.

2. **<u>Parking Distribution</u>:** Applicant shall clarity the site distribution of parking spaces.

   Response: The proposed Master Plan is conceptual. Details regarding distribution of parking spaces will be provided at the time of site plan approval.

   Corradino Response: Comment accepted on condition that details regarding distribution of parking spaces will be provided at the time of site plan approval.

   Response: Acknowledged.

3. **<u>Parking - Electric Vehicle</u>:** Applicant shall clarify if it will/will not be including electric charging vehicle stations as encouraged by Sec. 24-58 of the City's Code of Ordinances.

   Response: Applicant intends to provide electric charging vehicle stations for the project. Details regarding said charging stations will be provided at the time of site plan approval.

   Corradino Response: Comment addressed.

4. **<u>Loading Space Requirements</u>:** Applicant shall clarify the development dimensions by section and provide additional information on loading space requirements as provided for in Sec. 24-97.

   Response: The proposed Master Plan is conceptual. Details regarding parking and loading spaces for each use will be provided at the time of site plan approval.

   Corradino Response: Comment addressed.

<u>Other</u>

1. **<u>Renderings</u>:** There is a large inconsistency between renderings. For example, the landscape renderings show two pedestrian bridge structures and a boardwalk that are not found in the Civil drawings. There are also crosswalks shown in the landscape renderings that are not found elsewhere. For the purpose of this review, a clarification on which of these drawings is correct is needed.

   Response: Plans have been revised to eliminate inconsistencies.

   Corradino Response: Comment not addressed. There are still several inconsistencies between the renderings and the civil drawings.

   Response: Inconsistencies have been resolved.

2. **<u>Hurricane evacuation</u>:** Evaluation of impacts of development and redevelopment on hurricane evacuation clearance times and disaster- preparedness needs is not included. The site application in question is in general Evacuation Zone A and includes new high density residential in the proposed development.

   Response: A Hurricane Preparedness Analysis has been prepared by Kimley- Horn and Associates, Inc. A copy of this analysis is enclosed with this application for your review and consideration.

   Corradino Response: Comment addressed.

3. **<u>NE 35th Avenue</u>:** Various pages in the Intracoastal Master Plan presented by the applicant refers to NE 35th Avenue as NE 135th Avenue.

   Response: All references have been corrected.

Corradino Response: Comment addressed.

4. **<u>Five-Minute Walk</u>:** In any clarification, the applicant shall demonstrate adherence to the requirements of Sec. 24-58.7 requirements regarding a general 5- minute walk.

   Response: The proposed development sits on approximately 28.17 acres, which would take the average person approximately five (5) minutes to walk from one end to the other. The proposed project is intended to be a live, work, play environment with residential, retail, commercial and office use, including neighborhood oriented uses intended to serve the day-to-day needs of the residents. All uses are intended to be interconnected by pedestrian links, pathways, plazas, and green areas. This will create a pedestrian-friendly neighborhood oriented around the five-minute walk.

   Corradino Response: Comment addressed.

The following details proposed conditions for the acceptance of the plan:

1. Prior to site plan approval, the applicant must obtain design approval from the FDOT access management board. This approval shall be for the design presented in the Master Plan or a comparable design which satisfies the City of North Miami Beach's Eastern Mixed-Use Waterfront District (MU/EWF) code requirements by providing for multiple access points with direct east and west access to and from SR 826/NE 163rd Street and traffic mitigation such that the development does not over burden NE 35th Avenue.

   Response: Acknowledged.

2. Prior to site plan approval, the applicant will provide an updated Traffic Impact Study specific to the site plan submittal. The trip generation shall be revised for each site plan submittal's specific set of uses. All reference documents and traffic counts shall be updated accordingly if there is a lapse of a year or more between submittals.

   Response: This project has been analyzed in holistic basis taking into account the proposed development program. A trip generation statement will be provided at the time of site plan approval for each phase of development to determine whether said phase is in compliance with the traffic impact analysis approved for the project.

3. Prior to site plan approval, applicant must provide design schematics, including any mechanisms for closures, for streets designated for potential temporary closures that demonstrates the ability to effect emergency access for all buildings at all times. Bollocks and any other devices used to temporarily close primary and secondary streets shall be easily removable so as to effect quick and direct emergency vehicle access to all buildings on site.

   Response: Acknowledged.

4. The City has a high priority in ensuring that a premium transit facility is planned for this development to encourage residents and visitors to utilize available transit options. Prior to site plan approval, applicant shall demonstrate through its plans, improved or maintained

levels of transit service to the development, including accessibility and transferability between existing transit lines. Applicant will maintain/enhance the current level of service by allowing for onsite access in the form of a premium transit facility with collocated bus stops for North Miami Beach and Sunny Isles Beach trolley systems, and Miami-Dade Transit at that agency's option. A public benefit term in the Development Agreement may provide an outline for the design of such facility going forward. This term shall include features such as, but not limited to, climate-controlled shelters/facilities; digital routing displays, including real time information; seating; and WiFi hotspots. This premium transit facility shall be ADA compliant.

Response: The existing bus/trolley stop location will remain and not be relocated on NE 35 Avenue. No additional on-site bus/trolley stops will be provided as this would negatively impact transit vehicle headways.

SECTION VIII. CONCURRENCY REVIEW REPORT

1. **Level of Service Analysis**. This Level of Service analysis is based on those standards contained in the City's Comprehensive Plan and City of North Miami Beach Code of Ordinances, Chapter 24, Article XIV Public Facility Capacity; Concurrency Management regulations. A final determination of impact fees by the City of North Miami Beach and other applicable agencies shall be performed prior to the issuance of a Master Building Permit.

   Response: Noted.

2. Existing Use: Retail uses totaling 234,026 sq. Ft.

   Response: Confirmed.

3. Proposed Use: 380,000 square feet of retail space, 2,000 multifamily residential units, up to 200,000 sq. ft. of office space, and extensive public spaces.

   Response: The proposed total area of commercial use has been reduced to 375,000 square feet.

4. Transportation. Please refer to Traffic Impact Study and Concurrency Memo, dated August 22, 2019, attached separately.

   Response: Noted.

5. Potable Water. The level of service for Residential: Townhouse 250 GPD, Multifamily 150 GPD per bedroom, 10 GPD per 100 sf for stores (retail) without food service, 10 GPD per 100 sq. ft. of office space, and for irrigation systems is 0.09 GPD per square feet of green area. The proposed development consists of 38 townhouses, 2000 multifamily residential units (assumed to be an average of 2 bedrooms per unit under a conceptual plan), 380,000 sq. ft. retail, up to 200,000 ft of office, and 202,009 sq. ft of public green area (Green and Elevated Park). Subtracting the existing retail building potable water demand of 23,403 GPD from the proposed demand of 685,681 GPD, the proposed project will increase demand by 662,278 GPD. Adequate potable water supply capacities exist to service the proposed use.

   Response: Acknowledged.

   Corradino response: The revised plan provides for 380,000 SF of retail, Hotel space with 250 Keys, 200,000 SF of office space, and 2,000 residential units. 255,558 SF of public green space will be provided. The proposed conceptual plan's demand is 681,000 GPD; the proposed project will increase demand by 657,597 GPD. Adequate potable water supply capacities exist to service the proposed use under the revised conceptual plan.

   Response: Acknowledged. The Project will provide adequate potable water capacities to serve the proposed uses.

6. Sanitary Sewer. The sanitary sewer level of service standard for apartments and condominium units is 200 GPD, Townhouse is 250 GPD (gallons per day), 10 GPD per 100 sf for shopping centers, 10 GPD per 100 sq. ft. of office space. Subtracting the existing office building sanitary sewer service demand of 23,403 GPD from the proposed demand of 467,500 GPD, the proposed project will increase demand by 444097 GPD on the existing sanitary sewer treatment facilities.

Response: Acknowledged.

Corradino response: The revised conceptual plan will increase demand by 434,597 GPD.

Response: Acknowledged. The Project will provide adequate sanitary sewer capacities to serve the proposed uses.

7. Solid Waste. For the purposes of Solid Waste level of service the Miami-Dade County LOS is described herein: The County Solid Waste Management System, which includes County-owned solid waste disposal facilities and those operated under contract with the County for disposal, shall, for a minimum of five (5) years, collectively maintain a solid waste disposal capacity sufficient to accommodate waste flows committed to the System through long term interlocal agreements or contracts with municipalities and private waste haulers, and anticipated noncommitted waste flows. Based on the existing Interlocal Agreement with Miami-Dade County, as amended, and through the City's agreement with Waste Management, Inc. adequate solid waste capacity exists to service the proposed use.

Response: Acknowledged.

Corradino response: No further comments. Please refer to the Miami-Dade County's response letter regarding level of service impact determination.

Response: Noted.

8. Drainage. Outside the scope of Corradino's review as assigned by the City. Drainage is to be reviewed by the City Engineer, Miami-Dade County DERM, and through an Engineering Permit.

Response: Noted.

Corradino response: No further comments. Please refer to the Miami-Dade County's response regarding impact determination.

Response: Noted.

9. Parks & Recreation & Impact Fee. The adopted LOS standards for parks and recreation is 2 acres per 1,000 residents. The existing park acreage in North Miami Beach is 165.7 acres serving the current population of approximately 43,000 people. This translates to a LOS for parks of acres per 1,000 people, and is above the adopted 2 acres per 1,000 residents standard. In addition to maintaining levels of service, the City requires a developer to pay a Parks and Recreation Impact fee of approximately $1,044.42 per residential unit. This

project will generate $270,504 in parks and recreation impact fees. These fees will be paid prior to the issuance of a building permit. Adequate parks and recreation space exist to serve the development. Intended long term maintenance of dedicated public spaces should be further detailed given the requirements of Future Land Use Element 1.8.7 regulating the MU-EWF district.

Response: Noted. The Applicant has prepared a draft Development Agreement memorializing the comments provided above. A copy of the draft Development Agreement will be provided to City Attorney under separate cover. Final terms and conditions will be determined during this process and prior to final hearing before the City Commission of the City of North Miami Beach.

Corradino response: Under the revised Conceptual Plan, 425,466 SF (9.76 Acres), will be provided, of which 16,630 SF will be private, 26,644 SF will be semi-public, and 22,381 SF will be temporary space normally utilized for vehicular traffic. 359,811 SF, or 8.26 acres, will be active public space. This meets the 10% requirements for open space for the site, of 2.9 acres of open space. The development is expected to have 2,000 multifamily residential units (35 Low-Rise, 48 Mid-Rise, and 1917 High-Rise units). North Miami Beach's average household size is 3.12 (US Census 2019). At 6,240 people and a level of service standard of 2 acres per 1000 residents, it is estimated that 12.48 acres are needed to meet current LOS standards.

Response: Based on the Fiscal Impact Study dated March 25, 2020, and prepared by Integra Realty Resources (the "Fiscal Impact Study"), the average household size for this project is 2.25 based on the types of units proposed, which would result in approximately 4,500 residents for the project. At a level of service standard of 2 acres per 1,000 residents, it is estimated that 9 acres are needed to meet current LOS standards.

New Residents		
Residential Forecast		Increase
2024 Population	47,780	
2024 Household	17,003	
New Multifamily and Condomium units	2,000	
Average resident per Unit	2.25	
Capture Rate of New Resident	75%	
New Residents of NMB	3,375	7.1%
New Households	1,500	8.8%

The proposed project contemplates 9.4 acres (409,613 SF) of open space,[1] plus a 10,690 sq. ft. community center, which will be designed based on input to be collected by the Developer from the Eastern Shores neighborhood. Therefore, the new open space being provided exceeds the project's demands. Also, the project's proximity to parks, open space, and other passive recreation is above other areas in Miami-Dade County. Specifically, the project is within a five-minute travel time to the Oleta River State Park (across the street), and the Haulover Park in Surfside.

According to the City's Comprehensive Plan, Volume Two: Support Documents, the inventory states that there are 165.7 existing acres of City parks. Based on the 2010 census, which identified the City's population as 41,253, there is a surplus of 83.2 acres – with a population of 41,253, 82.5 acres are required at 2 acres per 1,000 population. Thus the City currently has a significant surplus of parks inventory and there are no level of service issues.

The Fiscal Impact Study estimates the City's population will be 47,780 residents in 2024:

Population Trends

	Population			Compound Ann. % Chng	
	2010 Census	2019 Estimate	2024 Projection	2010 - 2019	2019 - 2024
North Miami Beach, FL (city)	41,523	45,024	47,780	0.9%	1.2%
Miami-Dade County, FL	2,496,435	2,821,143	3,007,802	1.4%	1.3%
Florida	18,801,310	21,486,238	22,945,168	1.5%	1.3%

Source: Environics Analytics

At 47,780 people, and a level of service standard of 2 acres per 1,000 residents, it is estimated that 95.56 acres of parks needed to meet City's demands. Thus, even in 2024, <u>there will be a surplus of 70.14 acres based on current inventory</u> and not including the contributions of this project. In addition, the available 165.7 existing acres of City Parks do not include the 1,110 acres of County and regional parks in the area. *See* pages VII-11 and VII-12 of Vol. II.

The proposed project is adding 9.4 acres of open space, plus a 10,690 sq. ft. community center. Therefore, it has virtually no impact of the surplus level of service and no level of service issues are created by the project.

Furthermore, the Parks Impact Fee is intended specifically to provide for new park space demand created by new development:

> **Sec. 24-191 - Purpose. The intent of the "Park Impact Fee" is to assist in the implementation of the City of North Miami Beach**

[1] Open space required for the project is 10% of total lot area. With a total lot area of 1,267,151 SF, the open space required is 126,715.1 (2.90 acres). Thus, the provided open space of 409,613 SF (9.4 acres) significantly exceeds the open space requirement for the project.

Comprehensive Plan and to regulate the use and development of land so *as to assure that new development bears a proportionate share of the cost of capital expenditures necessary to provide parks* and park improvements in the City of North Miami Beach.

The Parks Impact Fee for this project is 1,044.42 per unit, resulting in an estimated Parks Impact Fee of $2,088,840.

SECTION IX. URBAN DESIGN

Regarding the Text Amendments

1. What is the use requiring stories that exceed the permitted height?

   a. Why is applicant asking for 18' stories above the ground level?

   BA Comment: Response is noted.

2. If a movie theater requires 35' at the ground level, is amendment necessary?

   a. Movie theater just takes up the first 3 stories of the building.

   BA Comment: Applicant indicates that a movie theater is located at an upper level. However, upon review, could the movie theater be located on what is considered floors 2, 3, 4 of the structure, given the availability of significant building height (stories) permitted in the code. In this case, it would just count has 3-stories for that use.

   Response: This comment has been addressed. As discussed on April 9, 2020, Staff's proposed text amendment provides flexibility to incorporate special uses such as movie theaters.

3. Provide dimension on the proposed plan where maximum overall dimension of 560' is required.

   BA Comment: Response is noted. Drawings indicate a building on Block S3 with individual sides of the building labeled as linear dimension of 346', 235', 287', 395', 68', and 195'. Because the sides labeled 346' and 235' are accompanied by a significant deflection of the street, it is our opinion that those may be considered separate. Therefore the maximum dimension proposed in the drawings would be the north and south face of the building on Block S2.

   Response: Noted.

4. Provide dimension on the proposed plan where the maximum overall block dimension of 600' is required.

   BA Comment: Drawings do not indicate a block dimension that exceeds the maximum 600' feet dimension.

   Response: This comment has been addressed. Additionally, as discussed on April 9, 2020, Staff's proposed text amendment provides a maximum overall block dimension of 600 feet for the MU/EWF zoning district.

5. Regarding active use frontage along NE 35th Avenue, that is an Existing Primary Street. Code typically requires active use on all levels of that frontage. Hardship would need to be demonstrated to loosen regulations.

BA Comment: Response is noted.

6. Drawings indicate 50' wide landscape buffer along NE 35th, however there is a ROW dedication running through it. Is that the case?

   BA Comment: Response is noted. Also, please provide clarification regarding the elevated park. Proposed Designated Publically Accessible Open Spaces and Greenway Systems Regulating Plan still references the elevated park. It was our understanding from previous meetings that that was going to be removed.

   Response: Drawings have been updated to eliminate the elevated park.

7. Can there be a ped bridge that connects where the streets dead-end at the canal? What is size of the boats that are imagined to come through the canal?

   BA Comment: Response is noted.

<u>Sec. 24-58 – Mixed Use (MU) District</u>

(J) (3) c. i. Cul-de-sac in the southeastern corner of the property is not permitted.

BA Comment: Response is noted.

(J) (3) c. iv. 1-2. Street Section (G) does not meet requirements for minimum 5 feet landscape strip/tree grate along the street.

Street Section (H) does not meet requirements for minimum 5 feet landscape strip/tree grate along the street.

Street Section (I) does not meet requirements for minimum 5 feet landscape strip/tree grate along the street.

Street Section (J) does not meet requirements for minimum 5 feet landscape strip/tree grate along the street.

BA Comment: Drawings indicate conceptual plans are in compliance.

(K) (2) b. i. Drawings indicate that parking garages are not screened by a Liner building on all levels at all frontages.

BA Comment: Response is noted.

(K) (2) b. ii. Provide dimensions for all vehicular access points of garages.

BA Comment: Response is noted.

(L) (1) a. Tree counts will be required.

BA Comment: Response is noted.

(L) (1) a. i. Provide calculation demonstrating compliance with requirements for maximum of 25% of trees can be palm species.

BA Comment: Response is noted.

(L) (2) d. Provide overall dimension of each block on landscape plans and calculation depicting compliance with street tree spacing requirements.

BA Comment: Response is noted.

(O) (1-3) Indicate locations of mechanical equipment and service utilities on plans.

BA Comment: Response is noted.

(S) (1) a. Provide dimensions for each side of building to not exceed 300 feet.

BA Comment: Please note that the referenced sheet A1-16 indicates dimensions of the overall block length. In the drawings submitted, the building lengths are referenced on A1-22. Applicant is proposing text amendment, rather than a variance.

Response: Confirmed.

(S) (1) g. ii. Proposal indicates parking structures with no active use liner on existing primary street, new secondary street and new tertiary street.

BA Comment: Response is noted.

(S) (1) n. Proposal indicates dwelling units less than minimum allowed 550 sq.ft.

BA Comment: Please provide information regarding the mixture of residential units and their sizes to demonstrate compliance with these requirements. It is assumed that this information will be provided in compliance with the standards of the code at the time of individual site plan review.

Response: The previously proposed microunits (units smaller than 550 SF) have been eliminated from the proposed project. As proposed, all units will range from 550 SF to 3,200 SF in compliance with the code.

(S) (2) Parcel diagram indicates blocks in excess over the 400' maximum length permitted and the maximum perimeter of 1,400'.

BA Comment: Response is noted.

(S) (3) Drawings should indicate the building typology that each structure is intended to be constructed.

BA Comment: Drawings indicate building typologies.

(S) (3) b. iii. 1. Provide calculations demonstrating compliance with standards for average floor plate area, dependent on tower use.

BA Comment: Drawings indicate conceptual plans are in compliance. These standards will be further reviewed for compliance with the code at the time of individual site plan review.

Response: Acknowledged.

(S) (3) b. iii. 2. Provide dimension between towers. Since the minimum dimension between two separate tower floor plates is 60', please provide dimension for clarification for northern tower in block S3. Suggestion is that tower shall be 30' away from the property line, so that vacant parcel can redevelop a tower on their parcel and accommodate the other 30' to meet that minimum distance of 60'.

BA Comment: Drawings indicate conceptual plans are in compliance.

Sec. 24-58.7 – Mixed Use Waterfront (MU/EWF) District

(E) (1) The adopted Sub-Areas Regulating Plan calls for additional Edge Sub-area along NE 35th, however the site plan indicates considerably more of the Transition Sub-area. Given the City's efforts to update the MU-Canalside, to the west of the property, this alternative seems to be satisfactory.

BA Comment: Response is noted.

(E) (2) Is there a way to connect the two-dead end streets at the canal, with a pedestrian bridge or other connection to complete the internal circulation loop? Presently, the design indicates two-independent loops. It would be nice to be able to connect them to one another, even if just for pedestrians.

BA Comment: Drawings indicate applicant has included an additional pedestrian bridge to close the loop.

(E) (3) Why is the triangular open space along NE 163rd Street not included?

BA Comment: Response is noted.

(E) (4) The proposed Building Heights Plan indicates a fine-grain transition of heights in the general spirit of the adopted plan. However, it is unclear why the additional stories are needed? Higher story height above the first story, but the maximum height (feet) stays the same?

BA Comment: Response is noted. However, it does not clearly demonstrate why the additional stories are needed. The proposed regulating plans appear to indicate a greater amount of the site area dedicated to 40 stories and 48 stories, versus the adopted regulating plan area dedicated to maximum 40 stories. Provide dimensions of areas of each area as they compare to the current regulating plans. It is our opinion, that due to the sensitive

nature of building heights, it may be beneficial to label the proposed regulating plans as 40 stories and 495 feet the same way that it is in the adopted regulating plans.

Response: This comment has been addressed. As discussed during the conference call on April 9, 2020, Staff's proposed text amendment provides flexibility to the number of stories permitted so long as the maximum height is satisfied. We have revised the Conceptual Master Plan to reference the maximum allowable height of 495 feet.

(G) (1) d. Proposed plan indicates that the buildings fronting NE 35th Avenue does not contain active uses on all levels.

BA Comment: Response is noted.

(G) (1) e. Proposed plan indicates that the buildings fronting NE 35th Avenue does not contain active uses along the ground level at southwest corner of the parcel.

BA Comment: Response is noted.

(G) (1) g. i. Proposed plan indicates 50' landscaped buffer, however Sheet A1-30 indicates a road encroaching within the area.

BA Comment: Response is noted. Sheet A1-18 indicates a 50' area between the building frontages and the black dashed line around the subject properties along NE 35th Avenue. However, the code requires that the 50' landscaped buffer shall be within the proposed project property, between the development and NE 35th Avenue. The landscaped buffer shall not contain any structures, driveways, or roads, except sidewalks, bike paths, transit shelters or similar. The proposed plan indicates a 50' wide area, however it includes turn lanes and driveways into service areas of buildings.

Response: This comment has been addressed. As discussed on April 9, 2020, the encroachment on the 50 foot landscape buffer area is acceptable to Staff. 30 feet of the landscape buffer has been utilized to provide active liners and, pursuant to the proposed text amendment, turn lanes and driveways will be permitted.

(I) (2) a. Proposed plan indicates a waterfront promenade section that varies from these standards. Public access is required for no less than the minimum width, throughout the waterfront promenade.

BA Comment: Response is noted. Where conditions occur that prevent the applicant from meeting the standards due to environmental conditions along the Intracoastal and existing canal, has documentation been provided to the City staff?

Response: As discussed on April 9, 2020, the enclosed plans have been revised to show the minimum width of the waterfront promenade, as measured from the property line in compliance with the Sections 24-58.7(I)(2)(a) and (b) City Code.

(I) (3) a. Provide dimension for length of all individual waterfront promenades and urban greenways and demonstrate compliance with requirements for minimum 70% of shade from tree canopy.

BA Comment: Response is noted.

(I) (3) b. Provide inspiration images for each of the street furnishings listed.

BA Comment: Response is noted.

(J) Clearly label the height (Stories & Feet) for each individual building component on the plan.

BA Comment: Response is noted. The detailed dimensions of each story and overall height of all structures in the project shall be provided to be in compliance with the code, on building section drawings at the time of individual site plan review.

Response: Acknowledged.

(K) Clearly label the intended building typology for each individual building component on the plan

BA Comment: Drawings indicate building typologies.

(K) (2) Clearly label the property line and the setback line for each of the individual development parcels on the proposed site plan.

BA Comment: Drawings indicate property lines and setback lines.

(L) Provide all calculations for all parking Individually number all parking spaces on each level of parking structure Provide labels for guest parking

BA Comment: Response is noted.

(M) Provide all calculations for bicycle racks and bike storage Provide labels and individually number each Provide labels for shower and changing facility

BA Comment: Response is noted.

(N) Provide information regarding anticipated signage for each component of the proposal

BA Comment: Response is noted.

Holland & Knight

701 Brickell Avenue, Suite 3000 | Miami, FL 33131 | T 305.374.8500 | F 305.789.7799
Holland & Knight LLP | www.hklaw.com

Memorandum

Date: April 27, 2020

To: Mr. Justin Proffitt, AICP
Director, Community Development Department
City of North Miami Beach

From: Tracy R. Slavens, Esq.
Vanessa Madrid, Esq.

Re: **Dezer Intracoastal Mall LLC / Intracoastal Mall Redevelopment**
3501 Sunny Isles Blvd., North Miami Beach, Florida (Item # 19-3)

Response to TRAD Comments Dated March 26, 2020

Please refer to the sections described below for the Applicant's responses to the TRAD comments, which are provided herein in **BOLD** following each of the new comments issued.

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SECTION I. BUILDING DEPARTMENT

Intracoastal Mall

The following is a preliminary analysis of potential code issues relative to conceptual Master Plan of proposed development to the Intracoastal mall for future mix used new constructions

- NO COMMENTS

SECTION II. UTILITIES/ENGINEERING

NOTES:

1. The Holland and Knight amended letter of intent incorrectly states NW 35 Avenue on two occasions. Should read NE 35 Avenue. See Section III, page 4.

   Response: A revised amended letter of intent is enclosed with this submittal.

2. The Holland and Knight Development Agreement Exhibit E-4 incorrectly is entitled Sanitary Sewer, Solid Waste, Drainage and Potable Water Facilities. That section appears to be geared to Parks and Recreation.

   Response: The Applicant is working with the City Attorney to finalize the terms of the Development Agreement and a revised draft will be provided for review under separate cover.

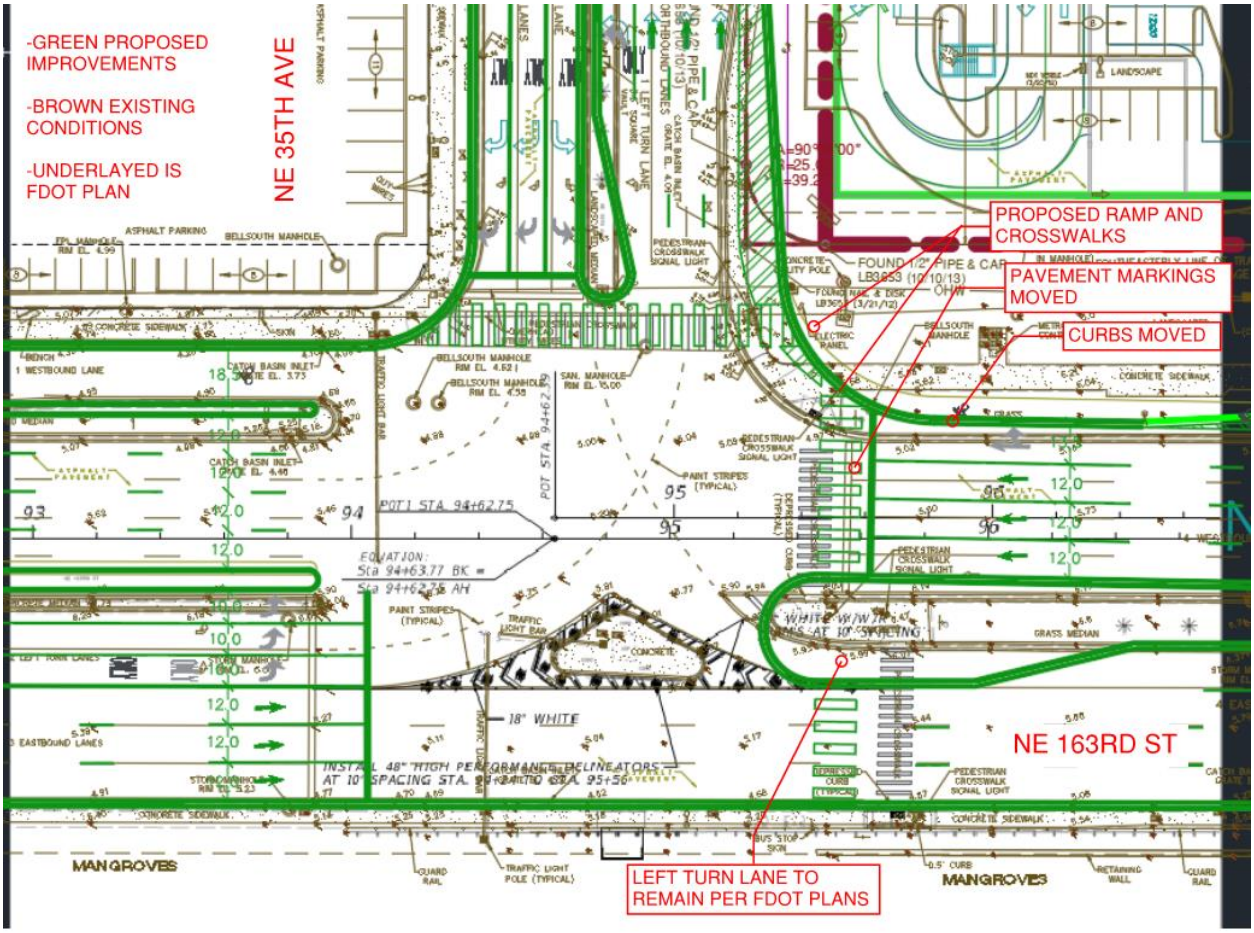
3. The Holland and Knight memo response to the TRAD comments from the September 2019 meeting:

   a. Response to item Sewer #3. The pump station is not at NE 146 Street. It is at NE 164 Street. This error is also seen on a Public Works response on page 5.

   Response: Noted. Applicant hereby clarifies that the pump station referenced in its responses to item Sewer #3 and Public Works response on page 5, is located at NE 164 Street.

4. Did the Developer's Consultant (Langan) communicate with the FDOT project engineers as relates to coordinating any new turn lanes, or roadway modifications, etc., as to the impact of their upcoming roadway project and any possible moratoriums? I had provided the FDOT contact info on an email to Michael Carr of Langan on January 23, 2020 subsequent to a Utility Coordination meeting with the FDOT for their project? The FDOT project for SR 826 (FP # 436525-2-52-01) includes some redesign work between NE 35 Avenue and SR A1A as well as the bascule bridge refurbishment. The project is scheduled to be let by FDOT in the Fall of 2020.

   Response: Applicant is coordinating with FDOT. The enclosed plan incorporates the proposed improvements. Below is an overlay of the two projects. Minor revisions to applicants plans will be made after the FDOT construction has been completed and applicant's project is submitted for site plan approval. The dark green represents the applicant's current plans and the brown is the FDOT proposed plan.



5. Zyscovitch plans L-203 key plan does not match plan.

   Response: Sheet L-203 has been revised accordingly.

6. Langan plans do not reflect the FDOT parcel acquisition.

   Response: Langan plans have been revised to reflect the FDOT parcel.

7. Langan plans sheet CU101 still have notes about the proposed building above the water main with 15 ft clearance. This should be updated. The existing water main to which you are connecting to on NE 35 Avenue is a 20" wtm not 12" wm. The connection on NE 163 Street is not a 20" wtm it is 30" wtm. It is not clear what the water main connection is at the NE corner of the site. An 8" water main that goes where? There seems to be a disconnect with Langan and the Water Department?

   Response: Sheet CU101 has been revised to reflect this information, as coordinated with the Water Department.

8. Since a right of way dedication is no longer contemplated on NE 35 Avenue. The Langan plans still show it. I see it labelled as a 50' buffer on Zyscovitch plans. I now hear (after

the TRAD resubmittal package), it may be 20 feet dedication. All parties need to be on the same page so the plans are better coordinated.

Response: The enclosed plans have been revised to reflect 20' dedication.

9. Based on the concurrency response from DERM received on March 23, 2020, the County Pump station #466 that will be relocated as part of this project, will likely need to be upsized to accommodate the much larger flows/demand of this project as compared to the existing flows into the County system. This will be a critical issue to resolve for final County approval.

   Response: Acknowledged. The new pump station will meet WASD standards to accommodate adequate flows and/or demand in connection with the proposed project. Pump station #466 will be relocated and up scaled to accommodate for larger flow due to new development demands.

SECTION III. PUBLIC WORKS

1. Florida Power & Light Sub- station along Sunny Isled Boulevard: "no changes are proposed and roadway connections to station will be improved".

   No further comments.

2. Define clearly whether any works are proposed for the existing Miami-Dade Water and Sewer Pump Station #426, adjacent to the FPL Sub-station. Coordination with MDWASD would be required. **Refer to sheet CU101 for location of proposed WASD station.**

   a. It is not clear whether the existing Pump Station #426 will be decommissioned.

      Response: The existing Pump Station #426 will be decommissioned.

   b. The proposed station (65' x 45') is located in a 50' wide (min) open space, at the western side of the Community Facility in Block N1. However, Site plan indicates that the space was reduced to 20'. What will happen to the proposed pump station?

      Response: The enclosed plans reflect the location of the proposed 65' x 45' station. The Applicant will be providing a dedication for the portion of the pump station within the Property.

3. Consultation with FDOT is necessary for the proposed development and its impact on the SR #826. **Both Applicant and City are coordinating with FDOT.**

   No further comment.

4. Consideration should be given to incorporating resiliency concepts including raised seawall cap. If such measures are proposed, clearly indicate, e.g. the proposed height of infrastructure. **Proposed design will incorporate resiliency concepts to ensure the maintenance of water quality; compliance with M-D County and navigational safety standards.**

   No further comment.

5. New waterway will require various environmental permits including, but not limited to, DERM, FDEP, SFWMD, and US Army Corp of Engineers. **Acknowledged.**

   No further comment.

6. All franchised utilities (power, phone, cable) shall be installed underground to increase aesthetics and resiliency. Utilities along the NE 35 Avenue must also be included. **Noted. Plans have been updated accordingly.**

   No further comment.

7. Lift Station in center median on NE 35th Avenue is proposed to be relocated; provide clear details of proposed new facility. Also consider amendments to the other station located at the northwestern corner of the property.

Proposed public gravity sewer main connecting to MDWASD pump station. The proposed pump station will replace existing station near NE 35 Ave and NE 164 Street.

Comment #2 above highlights potential issue of proposed pump station. Please review.

Response: Please refer to our response to comment #2 above.

8. Provide extension of natural gas line along NE 35th Avenue, from 3405 NE 163 Street. Estimated cost for line extension is $865,000.

Acknowledged. Design of gas line will be completed by utility company.

The City will liaise with the utility company to expedite designs for incorporation into ongoing designs for upgrade of NE 35 Ave. Works proposed to be funded from Public Infrastructure and Streetscape Assessment Fund.

Response: Noted.

9. Incorporate roadway construction improvements on NE 35th Avenue from NE 163 St to NE 171 St (including bike facilities) as part of roadway improvements to mall entrance of NE 35th Ave. This project has been designed and is in the permit process. **Acknowledged.** Part funding for these works are proposed to be included in Section 7, Draft Development Agreement

Response: Acknowledged.

10. Include trolley pullout bay on NE 35th Avenue and trolley station built to City Standards.

Acknowledged.

An air-conditioned transit facility with appropriate amenities should be included in development, and satisfactory to the City.

Response: A premium bus/trolley pullout bay on NE 35th Avenue and transit shelter will be provided. The transit shelter design and functionality will be in compliance with City Standards. An example of a premium bus shelter prototype is provided in the revised plans.

11. Redevelopment of Tot Lot must be included in development project. Provide details of works for incorporation.

Acknowledged. An expanded playground area is proposed adjacent to existing Tot Lot.

No further comment

12. Sheet L-203: The insert highlighted on the Key Plan is at the wrong location.

    Response: Sheet L-203 has been revised accordingly.

13. Draft Development Agreement, Section 7: it is suggested that roadway improvements along SR 826/NE 163 St and NE 35 Ave are undertaken "prior to the issuance of certificate of occupancy" for conditional stages of development. However, there is no assurance that once roadway development has been completed, the developments are guaranteed. Therefore, we request an amendment to Section 7 of the Agreement, stating clearly that there will be no intersectional improvements on NE 35 Ave and NE 163 St prior to substantial completion of the development.

    Response: The project is intended to be a phased development, and the roadway improvements will be completed prior to the completion of the first building.

14. The developer must allow for connection from Intracoastal Mall to Oleta State Park as part of a broader recreational connectivity plan.

    Response: The project incorporates enhanced bicycle and pedestrian connectivity to Oleta State Park. Please refer to Sheet A1-26.

15. Do not enter signs will be required at each of the one-way truck loading bays of Blocks S1 and N1 (2 for each, 4 signs total).

    Response: The enclosed plans have been revised accordingly. Please refer to Sheet CS101.

16. Clarify why a "yield to pedestrian" sign is proposed at the SW corner of Block S2 instead of a stop sign and right turn only sign.

    Response: The enclosed plans have been revised accordingly. Please refer to Sheet CS101.

17. Add Stop signs to the loading zone exit at Block N1.

    Response: The enclosed plans have been revised accordingly. Please refer to Sheet CS101.

18. It appears that the stop sign called for at the signalized intersection between Blocks N1 and C1 is not necessary.

    Response: The enclosed plans have been revised accordingly. Please refer to Sheet CS101.

19. All crosswalks will require crosswalk signage per latest edition of M.U.T.C.D.

Response: The enclosed plans have been revised accordingly. Please refer to Sheet CS101.

20. On Sheet CP106, Detail "I", the SU-30 truck encroaches on-coming traffic lane twice.

Response: The enclosed plans have been revised to correct this condition. Please refer to Sheet CP106.

21. Clarify off-site improvements; it is unclear what improvements are existing and what are proposed.

Response: The project proposes improvements including signalizing the intersection of SR 826/NE 163rd Street and Intracoastal Mall Driveway which will also include:

- **The addition of one (1) southbound left-turn lane**
- **The addition of one (1) southbound right-turn lane (two total) right-turn lanes**
- **The addition of one (1) eastbound left-turn lane,**
- **The addition of one (1) receiving lane to the west leg.**
- **A westbound buffered bicycle lane**

The new signal would operate similar to the current operations of the signalized intersection of SR 826/NE 163rd Street and NE 35th Avenue with eastbound partial continuous green T-intersection, signalized southbound left- and right-turn lanes, signalized eastbound left-turn lanes, and signalized westbound through and right-turn lanes.

Furthermore, the proposed improvements include the addition of one (1) eastbound left-turn lane at the intersection of SR 826/NE 163rd Street and NE 35th Avenue and the elimination of the exclusive westbound left-turn lane along Frontage Road at NE 34th Street. The intersection of SR 826/NE 163rd Street and NE 35th Avenue is proposed to be modified to remove the eastbound partial continuous green T-intersection as well as the exclusive pedestrian phase. The configuration of this intersection is proposed to include signalized eastbound through and left-turn lanes, signalized southbound left and right-turn lanes, and signalized westbound through and shared through/right-turn lanes. An enhanced pedestrian refuge island is also proposed.

The signalized intersection of NE 164th Street/Intracoastal Mall Driveway and NE 35th Avenue was modified for the following improvements:

- **Two (2) westbound left-turn lanes and one (1) shared through/right-turn lane**
- **Northbound U-turn movements will be allowed for passenger vehicles**

22. Consider including the newly acquired property on the provided survey in subsequent submittals to avoid confusion.

Response: A survey including the recently acquired property is being prepared. Applicant will provide the updated survey as part of the final submittal.

SECTION IV. PARKS AND RECREATION

1. What amenities are planned in the community facility?

   Response: This space will be amenitized in accordance with input gathered from the members of the community. Details will be provided at the time of site plan approval for the facility.

2. Have they communicated with the Eastern Shores neighborhood on what amenities the neighborhood wants?

   Response: A focus group meeting for residents of North Miami Beach was held on January 28, 2020. Applicant is coordinating with stakeholders to schedule a Town Hall meeting with members of the Eastern Shores neighborhood.

3. NE 35th avenue multi-layer barrier – does this or can this include a low hedge at 3-4'

   Response: The multi-layer barrier along NE 35th Avenue has been revised to include a 3-4' hedge.

4. The tot Lot area are two separate gated areas or one larger area for both? If two separate areas, parents/guardians with different age children will have a hard time supervising those children in both areas at the same time.

   Response: The Tot Lot area consists of one large area that is not physically separated.

SECTION V. SOLID WASTE

1. Indicate types and sizes of garbage containers planned to be used for each structure (Open top, vertical compactors or roll off compactors)

   Response: The proposed master plan is intended to be conceptual. The types, and sizes of garbage containers will be determined at the time of site plan approval.

2. Indicate locations for all garbage containers for each structure

   Response: The garbage containers are anticipated to be located in the loading areas for each build. Detailed locations will be provided at the time of site plan approval for each buildings/phase.

3. Section N3 is listed as townhomes, is it intended for these units to be serviced with individual 96-gallon carts via ASL?

   Response: Trash service requirements will be determined at the time of site plan approval for each buildings/phase.

4. Since this development is mixed usage, there will be no bulk trash removal service

   Response: Acknowledged.

5. All garbage service is to be provided by the city of North Miami Beach or its contractor which is currently Waste Management

   Response: Noted.

SECTION VI. PLANNING & ZONING

General Comments:

1. Hotel, part of Block N2, shall be constructed in the *Tower Building* typology. Per Table MU/EWF-2 Maximum Permitted Height (1): Buildings higher than 8 stories shall only be developed per the *Tower Building* type standards

   Response: Acknowledged. See Sheet A1-34 for the notation.

2. Pavers vs. Crosswalks: there appears to be a conflict with the paths created by the proposed paver design on the Primary Boulevards vs. required crosswalks. Some of these crosswalks appear to be located too close to intersections.

   Response: The crosswalk designs have been modified to better identify pedestrian paths.

3. Provide a legend for the street cross section labels.

   Response: A legend for the street cross section labels has been provided. Please refer to Sheet A1-16 and each section has a location map.

4. Buildings N1, S2, and S3 exceed the permitted building length (300 feet) for buildings in the MU District. See Sheet A1-22 and refer to Sec. 24-58(S)(1)(a) for code requirement. Requires a variance from code.

   Response: As discussed, and as contemplated in the letter of intent, the Applicant is seeking approval of a text amendment of Section 24-58(S)(1)(a) to allow properties in the MU/EWF district to have a maximum building horizontal dimension of 560 feet.

Development Agreement:

1. City Attorney's Office comments are pending and shall be incorporated into these comments when they are published.

   Response: Noted.

2. What is the purpose of Section H of the Development Agreement? This needs to be discussed further.

   Response: Section H of the Development Agreement has been revised pursuant to our discussions with the City Attorney. The Applicant is working with the City Attorney to finalize the terms of the Development Agreement and a revised draft will be provided for review under separate cover.

3. Sections I, 10 and 11 should be amended to accept the annual impact fee escalator that is built into the impact fee ordinances. This is typically a 3% increase annually. An impact fee table and ordinance were provided to you previously.

Response: The Applicant is working with the City Attorney to finalize the terms of the Development Agreement and a revised draft will be provided for review under separate cover.

4. Section I-14, Denial process is not correct. The City Commission has final authority over site plan approval. Appeals of a site plan denial would go to court. This process should be confirmed with the City Attorney.

   Response: This section of the Development Agreement has been removed pursuant to our discussions with the City Attorney. A copy of the revised Development Agreement will be provided under separate cover.

5. Premium Transit Facility. The City has a high priority in ensuring that a premium transit facility is planned for this development to encourage residents and visitors to utilize the available transit options. Although, a design is not warranted at this stage of the process, a public benefit term in the Development Agreement may provide an outline for such facility going forward with the details to be clarified in the future. This term shall include features such as, but not limited to, climate controlled shelters/facilities, digital routing displays, seating, and WiFi hotspots.

   Response: Noted. This concept has been incorporated under Exhibit F-1 to the Development Agreement "Roadway Transportation Facilities." A copy of the revised Development Agreement will be provided under separate cover.

6. TDM Strategies shall be outlined in the agreement and in the phases of development.

   Response: The entire project has been designed to incorporate public transit, carpooling, vanpooling, ridesharing, walking, and cycling features. This is a wholly mixed-use development that actively encourages a live, work, play lifestyle – a lifestyle that does not require a car. Features will include, but are not limited to, bicycle parking, bicycle lanes, shared use paths, ride sharing locations, and van/carpooling at the offices.

7. Public Benefit Analysis & Assessment. The recommendations/conditions from the Economic Study & Public Benefit Assessment analysis will need to be included in the Development Agreement. The review of the study and public benefit analysis is being performed by the City's consultant Lambert Advisory and shall be incorporated into these comments.

   Response: The Fiscal Impact Study dated March 25, 2020, and prepared by Integra, found that in addition to the $800,000 the Developer is committing as the Public Benefit Assessment, the project will create a windfall benefit for the City:

   > **"The overall economic impact to the City of North Miami Beach would be demonstrable, representing the creation of on-going employment of an additional 2,600 – 2,700 jobs, plus the increase of the Ad Valorem Taxes of $11 Million per year upon completion and stabilization/sell-out period, which represents a 63% increase over the existing real**

estate tax base. The construction of the project will also generate approximately $7.2 Million in Impact Fees for the City of North Miami Beach."

8. Development Phasing Plan Commensurate with Public Benefits/Improvements. Provide a plan showing how public benefits and improvements will be constructed/implemented for each phase of development. Include the cost of the benefit/improvement and the estimated construction cost of each phase. This information may come out of the recommendations from the Economic Analysis & Public Benefit Assessment Study.

   Response: A development phasing plan is included with this submittal. Please refer to Sheet A-30. It is important to note that the proposed project phases, as shown in the enclosed phasing plan, are conceptual and have been estimated based on existing and predicted market and other conditions, which are anticipated to change over time. These may vary due to fluctuations in the market, as well as result from internal and external forces (including lease terms, retail, residential and/or office market forces, environmental factors, or other issues). The timing and order of phases shall be adjusted administratively.

   Based on the Fiscal Impact Study dated March 25, 2020, and prepared by Integra Realty Resources (the "Fiscal Impact Study"), the total construction budget for the proposed project is estimated to be +/- $1.5 Billion. This estimate excludes the entrepreneurial incentive, developer's profit, the land acquisition cost, and the costs relating to the demolition of existing improvements. The estimated construction costs and public benefits for each phase will be provided under separate cover.

9. A Conditional Use request for the hotel is required. This can be done at site plan approval request and can be a condition/addressed in the development agreement.

   Response: As discussed with City Attorney, as part of the City's proposed text amendments for the mixed-use zoning districts, hotel will be included as a permitted use within the MU/EWF zoning district.

10. Development Agreement should outline the process by which you will address the Parks & Recreation Department's comments regarding the community facility, design input from the Eastern Shores Neighborhood, and operation responsibilities between the City and developer.

    Response: The Development Agreement has been revised to include the community facility as a public benefit under Section 9.7. A copy of the revised Development Agreement will be provided under separate cover.

11. See Public Works comments and recommended conditions/terms.

    Response: Acknowledged.

12. Phasing plan will be needed prior to finalizing the development agreement in order to determine when identified public improvements may be warranted.

Response: Noted. A phasing plan will be provided as an exhibit to the Development Agreement, a copy of which will be provided under separate cover

Letter of Intent

1. In LOI correct all instances of NW 35 AVE to NE 35 AVE.

   Response: The enclosed letter of intent has been revised accordingly.

Modified MU Regulating Plans.

1. Building Heights Regulating Plan (modified): include linear dimensions (in red) similar to existing regulating plan (Figure MUEWF-4)

   a. Superimpose the building height regulating plans

   Response: The Building Heights Regulating Plan has been revised accordingly.

2. Identify all street names/numbers. Clarify NE 164 ST location for amendment to Sec.24-58.7(G)(1)(d).

   Response: Street names/numbers and location of NE 164 Street have been provided.

Master Development Plans.

1. Regulating Plan (modified): Remove Elevated Park from proposed regulating plan diagram. Confirm ground park area, shall total 65,000 SF. UPDATE REQUIRED to diagram to show 65,000 SQ. FT. of open-space/park on ground level of site.

   a. Provide a comparison of the new proposed Open Space Regulating Plan compared to existing regulating plan in Zoning Code.

   Response: Regulating Plan has been updated to show 65,000 SF of open space on ground level. In addition, a comparison of the proposed and existing Open Space Regulating Plan has been provided with this submittal.

2. Sheet A1-29: what does the thinner dashed line along the west building line represent, add label.

   Response: The lines have been adjusted and clarified.

3. Sheet A1-31: show details 2nd Floor Terrace over proposed canal on the street section for this area.

   Response: Sheet A-31 has been revised accordingly.

4. Sheet A1-37: bus stop will need to be relocated because the plan sheets are no longer consistent. Show new location and update all associate plan sheets.

Response: Sheet A-37 has been revised to show new bus stop location.

5. Sheet A1-38: provide dimensions for Street Section "I". Show location of bike lanes for this street section. Plan sheets are not consistent with new site plan.

   Response: Sheet A-38 has been revised accordingly.

6. Sheet A1-39: street section does not include bike lane along NE 163rd Street. Plans not consistent with new site plan. Include dimension of space labeled "g" on the street section.

   Response: Sheet A-39 has been revised accordingly.

7. Sheet A2-2: rendering for Building S-4 does not show a setback from the tower and podium.

   Response: The tower depicted on block N2, Sheet A2-2, is at the end of a street vista which by Code is permitted to have a minimum setback of 0 ft. from the podium.

8. Sheet L-203 correct inset location map. It shows NE 35th Ave, but the key plan references the east portion of the property.

   Response: Sheet L-203 has been revised accordingly.

SECTION VII. TRAFFIC / CONCURRENCY

Transportation

Methodology

1. **Introductory Paragraph:** The methodology includes the analysis for a redevelopment that consists of 345,000 square feet of retail space, 2,000 multifamily residential units, 200,000 square feet of office space and 25,000 square feet of gym space. The application's diagrams consist of 400,000 square feet of retail space, 2,000 multifamily residential units, 200,000 square feet of office space, 25,000 square feet of gym space, 175 hotel rooms and a fire station. The applicant's letter of intent provides for 380,000 square feet of retail space; 2,000 multi-family residential units, up to 200,000 square feet of office space, and public spaces. The Traffic Impact Study should evaluate all land use categories identified in the redevelopment.

   Response: The proposed development program used in the traffic study has been updated to include 200,000 square feet of office space, 280,000 square feet of retail space, a 50,000 square-foot supermarket, 45,000 square feet of gym space, 2,000 multifamily residential units (35 Low-Rise, 48 Mid-Rise, and 1917 High- Rise units), and a 250-room hotel. The updated traffic study has been provided under separate cover. Note that the results of the traffic analysis did not change.

   Corradino Response*:* Comment addressed.

2. **Peak Hour Trip Distribution, Figure 4:** The driveway north of NE 164th Street shall be evaluated as part of the Traffic Impact Study.

   Response: The analysis has been updated to include the driveway north of NE 164th Street. The updated traffic study has been provided under separate cover.

   Corradino Response: Comment addressed.

3. **Conceptual Improvements Figure:** The proposed northbound left-turn lane closure removes the entrance to the existing development on the northwest corner of NE 163rd Street and NE 35th Avenue. This improvement needs to be reevaluated to provide an alternate route for entrance to this development along NE 35th Avenue.

   Response: The site can be accessed via the driveway on the Kings Realty Plaza. The median along NE 35th Avenue will be modified to include an opening at the driveway on the north side of the site for Alternatives 1 and 2. Note that for Alternatives 3 and 4 the existing access on NE 35th Avenue will be maintained. Updated conceptual plans can be found in the updated traffic study provided under separate cover.

   Corradino response: Comment addressed.

4. **Attachment A – Conceptual Site Plan and Location Map:** In the Site Plan provided in Attachment A of the Traffic Study Methodology, the development in N1 is shown as

Supermarket. In the materials provided in the application, this same development is shown as retail. The land use type for this development needs to be clarified to ensure that the correct trip generation is beingutilized.

Response: The development program used in the traffic study as well as the site plan have been updated to include 200,000 square feet of office space, 280,000 square feet of retail space, a 50,000 square-foot supermarket, 45,000 square feet of gym space, 2,000 multifamily residential units (35 Low-Rise, 48 Mid-Rise, and 1917 High-Rise units), and a 250-room hotel. The updated traffic study will be provided under separate cover.

Corradino response: Comment addressed.

5. **Modal split:** Modal split assumptions shall be supported by demonstrated access to and within the site, including pedestrian, bicycle, water and bus transit facilities.

Response: Please refer to Sheets A1- 23 through A1-26 for graphics of multimodal access to the site.

Corradino response: The multimodal reduction is accepted on the condition that the applicant provide further detail on transit infrastructure improvements and improved bicycle and pedestrian connection along the roadway corridors for the site plan review.

Response: The project contemplates two connection points, one along NE 35 Avenue and another along NE 163rd Street. Please refer to Sheets A1-23 though A1-26 for details.

6. **Police Substation:** If the City requests a police substation as provided for by the code of ordinances for this district, it shall be included in the traffic study methodology.

Response: Emergency services are exempt from transportation concurrency, the impact of the police station shall not be evaluated as part of this application. Therefore, it will not be included.

Corradino Response: Comment addressed.

7. **Additional Comment**: Approval from the FDOT access management board is critical for this project to move forward. Tables 3 and 4 indicates that the WB approach at NE 35th Avenue and NE 163rd Street will fail if the improvements are not made. Also, Table 5 and 6 in the Traffic Impact Study show that the queue for the future total conditions without improvements will overburden this intersection as the SB left turn queues for the AM and PM are over capacity and longer than the turn bay length provided. These improvements are also required to meet the City of North Miami Beach's Eastern Mixed-Use Waterfront District code requirements.

Response: Applicant has submitted proposed improvements to FDOT and comments/response is expected by end of April.

8. **Additional Comment**: Additional comments may be provided upon further review during the site plan submittal. A traffic impact study that is specific to the site plan submitted needs to be provided at that time.

Response: This project has been analyzed in a holistic basis taking into account the proposed development program. A trip generation statement will be provided at the time of site plan approval for each phase of development to determine whether said phase is in compliance with the traffic impact analysis approved for the project.

Circulation/Access

1. **Circulation, Page A1-20:** A figure should be included that illustrates the egress points and patterns for vehicle and loading circulation.

Response: The proposed Master Plan is conceptual. Egress points and patterns for vehicle and loading circulation will be provided at the time of site plan review.

Corradino Response: Comment accepted on condition that the egress points and patterns for vehicle and loading circulation are provided at the time of site plan review.

Response: Acknowledged.

2. **Circulation, Page A1-20:** The vehicle circulation will be problematic when the promenade streets along the canal are closed for events. The circulation plan during events should be evaluated for potential impacts to the ingresses and egresses and NE 35th Avenue.

Response: The proposed Master Plan is conceptual. The circulation plan during events will be addressed at the time of site plan review.

Corradino Response: Comment accepted on condition that the circulation plan during events is addressed at the time of site plan review. In additional, due to the configuration of the grid, comment is also accepted on condition that any mechanisms for closure are designed for quick removal, and easy, continued access by emergency services.

Response: Acknowledged.

3. **Fire Lanes:** No Fire Lanes are noted within the Plan.

Response: The proposed Master Plan is conceptual. Fire Lanes will be provided at the time of site plan review.

Corradino Response: Comment accepted on condition that Fire Lanes are provided at the time of site plan review.

Response: Acknowledged.

4. **Access:** Applicant shall explore if site needs an additional ingress/egress on the southern edge of the site, and if not, justify having only one ingress/egress point on the southern side of the site.

   Response: Additional Ingress/egress on the site will be considered at the time of site plan review.

   Corradino Response: Comment accepted on condition that ingress/egress on the site will be considered at the time of site plan review.

   Response: Acknowledged.

5. **On-street loading areas:** Applicant shall explore needs for pull-ins/outs for bus loading areas and passenger loading zones throughout the site.

   Response: Pull-ins/outs for bus loading areas and passenger loading zones throughout the site will be addressed at the time of site plan review.

   Corradino Response: Comment accepted. This comment has been addressed in the Conceptual Master Plan.

Transit

1. **Transit, Page A1-21:** The proposed trolley stop is located at the bottom of a shared thru and right turn lane bay. This location needs to be reevaluated to address the problems this will cause with vehicle queue and safety concerns. The proximity of the trolley stop to the most transient portion of the development shall also be evaluated.

   Response: Our team will coordinate with the City and Miami-Dade Transit on selecting the appropriate location.

   Corradino Response: Comment addressed.

2. **Transit, Page A1-21:** The proposed trolley line is drawn incorrectly. The proposed line shows the trolley traveling north on NE 35th avenue between the first ingress location and NE 164th Street. The first ingress location is a one-way only, therefore this movement cannot occur.

   Response: The existing and proposed transit connections are shown on Sheet A1- 27.

   Corradino Response: Comment addressed.

3. **Transit, Page A1-21:** Applicant shall demonstrate how transit stop placement as proposed will achieve City's Comprehensive Plan Future Land Use Policy 1.2.15, Future Land Use Policy 1.8.1, Future Land Use Policy 1.8.8, Transportation Element Policy 1.1.3, and Transportation Element Policy 1.2.8. The transit plan as presented reduces the viability of transfer between transit systems from current conditions.

Response: The existing and proposed transit connections are shown on Sheet A1- 27. In addition, the projected impacts of the proposed redevelopment meet the required levels of service. You will note that with the proposed plan revisions the transit plan improves the current transit conditions in compliance and in furtherance of the City's Comprehensive Plan Future Land Use Policy 1.2.15, Future Land Use Policy 1.8.1, Future Land Use Policy 1.8.8, Transportation Element Policy 1.1.3, and Transportation Element Policy 1.2.8, which generally encourage the redevelopment to promote mixed-use development, which is vertically and/or horizontally integrated, pedestrian-friendly, with multi-modal transportation connectivity to other areas to encourage mass transit, and reduce the need for automobile travel.

The proposed development consists of a well-integrated mix of land uses, and creates and enhances community-befitting assets with over 425,000 square feet of open space, including green area, plazas, seating areas, colonnades, and shaded landscaped areas. The project contemplates the safe, interconnectivity of vehicular, pedestrian and other non-motorized movement, by providing various egress/ingress access points, bus stops and transit connections, and a pedestrian and bicycle friendly environment. The project's design and mix of uses fosters walkability by interconnecting to the network of pedestrian friendly streets, creating a network of sidewalks within the Property, and creates distinctive, attractive project with a strong sense of place through its unique architecture, site planning, walkability, connection to a variety of transportation choices, enhancement of neighborhood identity, and its choice of landscape materials and amenities, including the proposed canal.

Corradino Response: Comment conditionally accepted on the condition that applicant addresses the change in existing bus/trolley stop location and this change's effect on transfers, through the planning of collocated bus stops to facilitate improved transit accessibility and transferability. Currently, stops for multiple lines are situated in close proximity or collocated in order to facilitate transfers on-site and provides direct door-to-door access from origin to storefront. The current master plan as proposed reduces this transferability through its location of new stops around the proposed site's edge.

Response: The existing bus/trolley stop location will remain and not be relocated on NE 35th Avenue. It has been determined that no additional on-site bus/trolley stops will be provided as this would negatively impact transit vehicle headways.

4. **Transit, Page A1-21:** The Sunny Isles Trolley Orange Line currently has the main transfer hub (Stop 37) to North Miami Beach at this site location. This existing line needs to be depicted in the Transit Plan.

Response: The existing and proposed transit connections are shown on Sheet A1- 27.

Corradino Response: Comment not addressed. Please label the Sunny Isles Trolley Orange Line on Sheet A-27.

Response: See Sheet A1-27.

5. **<u>Transit, Page A1-21</u>:** The intersections being utilized in the transit plan must demonstrate the ability for travel and turns by the existing trolley vehicle stock and potential future vehicle stock.

Response: Noted. Please see revised plans showing existing and proposed transit connections are on Sheet A1-27.

Corradino Response: Comment accepted on condition that ability for turns by existing trolley and potential vehicle stock turning template is provided for site plan review.

Response: Acknowledged.

6. **<u>Transit, Page A1-21</u>:** Clarification needed on existing transit infrastructure and any replacement, addition, or removal.

Response: Please see revised plans showing existing and proposed transit connections are on Sheet A1-27.

Corradino Response: Comment accepted on condition that clarification on existing transit infrastructure and any potential replacement, addition or removal are provided for site plan review.

Response: Acknowledged.

7. **<u>Conceptual Striping and Signage Plan, Page CS101</u>:** Transit stop markings and signage not indicated at proposed stop location from page A1-21.

Response: Plans have been revised accordingly.

Corradino Response: Comment accepted on condition that applicant must provide applicable bus stop and water taxi signage for site plan review.

Response: Acknowledged.

8. **<u>Transit, Page A1-21</u>:** Applicant shall explore opportunities to provide premium transit, including hubs, within the site, and account for transit access given the site's size and development pattern. At least 3 transit stops should be considered. On-site transit transfers between different transit lines (Miami-Dade Transit, North Miami Beach, Sunny Isles Beach), as well as the proposed water transit, should be included. Transit stop amenities and associated first-last mile infrastructure which will encourage transit usage, given local conditions, should be included in the conceptual plans.

Response: Noted. The project complies with this as it contemplates various transit connections including a bus stop and trolley stop along NE 35th Avenue, a bus stop along 163rd Street, and the water taxi.

Corradino Response: Comment partially addressed. The applicant should clarify intent of connections between different transit, not just the provision of stops. The applicant should

also clarify how it will address the change in transfers and the potential colocation of routes/stops. Currently, locations of bus stops are situated to provide easy transfers for riders between different systems. The master plan as posited looks to reduce the ease of transfers between the three systems. Clarity also needed on A-27 regarding the movement of the current Orange Line stop.

Response: Sheet A1-27 has been revised to show existing and proposed routes.

9. **<u>Transit, Page A1-21</u>:** Water transit system's intent, including stop locations, should be clarified.

Response: Please see revised plans showing existing and proposed transit connections are on Sheet A1-27. Details regarding water taxi operations will be provided at the time of site plan approval.

Corradino Response: Comment accepted on condition that water taxi operations information are provided at the time of site plan approval.

Response: Acknowledged.

<u>Waterfront Access</u>

<u>Sec. 24-58.7(A) provides a requirement for public access to waterways:</u>

1. Applicant shall clarify inconsistencies between renderings and civil drawings and demonstrate the required public access from the western edge of the site.

Response: Acknowledged.

Corradino Response: Comment addressed.

2. Applicant shall demonstrate public access to waterfront via pedestrian and bicycle access from the southern edge of the site.

Response: Acknowledged. See Sheet A1-26.

Corradino Response: Comment addressed.

3. Applicant shall clarify waterfront accessibility and planning for non-motorized water transit and activities, jetskis, and considerations for dockmasters as part of the conceptual plans for the proposed canal, boardwalk/intracoastal waterway, and along the existing waterfront on the northern edge of the site.

Response: The proposed Master Plan is conceptual. Details regarding water activities and operations will be provided at the time of site plan approval.

Corradino Response: Comment accepted on condition that details regarding water activities and operations will be provided at the time of site plan approval.

Response: Acknowledged.

Pedestrian/Bicycle

1. **Conceptual Striping and Signage Plan, Page CS101:** A North-South crosswalk at the intersection North of NE 164th Street and NE 35th Avenue needs to be included.

Response: A crosswalk has been provided at NE 164th and NE 35th Avenue.

Corradino Response: Comment has not been addressed. Please include crosswalk on Sheet CS101.

Response: A crosswalk has been provided on both the east and west sides of NE 35th Avenue at NE 164th Street.

2. **Conceptual Striping and Signage Plan, Page CS101:** It is unclear how pedestrians have cross street access from/to the townhouses in the northern quadrant of the development.

Response: There is a crosswalk along NE 35th Avenue along the park as well as a mid-block crossing at the N2 block. Pedestrians can also walk along the waterfront promenade that connects the entire site.

Corradino Response: Comment not addressed. Please include these crossings on Sheet CS101.

Response: The crossings have been included on Sheet CS101.

3. **<u>Conceptual Striping and Signage Plan, Page CS101</u>:** There is no pedestrian access to/from Oleta River State Park depicted within this application. This access is extremely important for connectivity to the Park.

   Response: Pedestrian and bike access are proposed along the north side of NE 164rd Street west towards NE 34th Avenue connecting to Oleta River State Park.

   Corradino Response: Comment addressed.

4. **<u>Conceptual Striping and Signage Plan, Page CS101</u>:** The offsite bicycle pathways are not continuous in these plans or the latest Alternative improvements provided by the City. The pathways shown do not connect with the North Miami Beach Master Plan or the Sunny Isles Beach Master Plan. There is no direct onsite access from the offsite bicycle facilities provided.

   Response: Bike access is proposed along the north side of NE 163rd Street west towards NE 34th Avenue connecting to Oleta River State Park and the existing bike lane along 163rd Street.

   Corradino Response: Comment accepted on the condition of approval by the City of North Miami Beach and FDOT. Any subsequent plans should ensure bi-directional bicycle access.

   Response: Acknowledged.

5. **<u>Conceptual Striping and Signage Plan, Page CS101</u>:** The improvements along NE 163rd Street will realign the roadway. There shall be an evaluation on optimal placement to reduce level of stress and conflict points with vehicular traffic flow, including safety to be consistent with Comprehensive Plan Transportation Element Policy 1.5.1.

   Response: Acknowledged

   Corradino Response: Comment addressed.

6. **<u>Application documents</u>:** Within the application documents, there is not enough information on bicycle circulation or facilities within the development. Bicycle Parking is required under district regulations 24- 58.7(M) and associated plans and must be provided for review.

   Response: See Sheet A1-26 for the on-site bicycle and pedestrian network throughout the site.

   Corradino Response: Comment accepted on condition that adequate bicycle parking is provided per district regulations 24-58.7(M) for site plan review.

   Response: Acknowledged.

7. **Bicycle:** Additional consideration should be provided for continuous facilities for bicycle access along NE 163rd Avenue.

Response: Connections from the site to the existing bike lanes along NE 163rd Street are provided.

Corradino Response: Comment accepted on condition of approval by City of North Miami Beach and FDOT. Applicant demonstrates that an additional bicycle lane will be added west of the site; however, it is unclear whether this will be a one-way facility. If so, the question remains on the return trip, and where people may cross from other facilities, and any corresponding improvements. Applicant should further clarify improvements for travel on a bi-directional basis. Further, bicycle connections to Sunny Isles should be considered with any roadway improvements.

Response: Sharrow pavement markings will provided in the westbound frontage road west of NE 35th Avenue. Note that a 10-foot sidewalk (shared-use path) is provided along the north side of NE 163rd Street west of NE 35th Avenue allowing for bi-directional pedestrian and bicycle travel. The project also proposes to construct a westbound buffered bicycle lane on NE 163rd Street fronting the redevelopment.

8. **Bicycle:** Current bicycle lane project undertaken by City Public Works along NE 35th Avenue should be reflected in the conceptual planning.

Response: Acknowledged.

Corradino Response: Comment addressed.

9. **Open Space, Page A1-22:** Additional clarification is needed for the semi- public space noted as "Terrace 2nd Floor" East-West, including pedestrian circulation and accessibility.

Response: See Sheet A1-26 for the on-site pedestrian network throughout the site both at ground level and along the second-floor retail terraces linking from building to building with vertical access points noted.

Corradino Response: Comment addressed.

10. **Pedestrian:** Conceptual spacing of seating for pedestrians' site-wide shall be clarified. Incorporation of any technology to enhance pedestrian accessibility, mobility, and encouragement for walking activity should be noted and clarified as applicable.

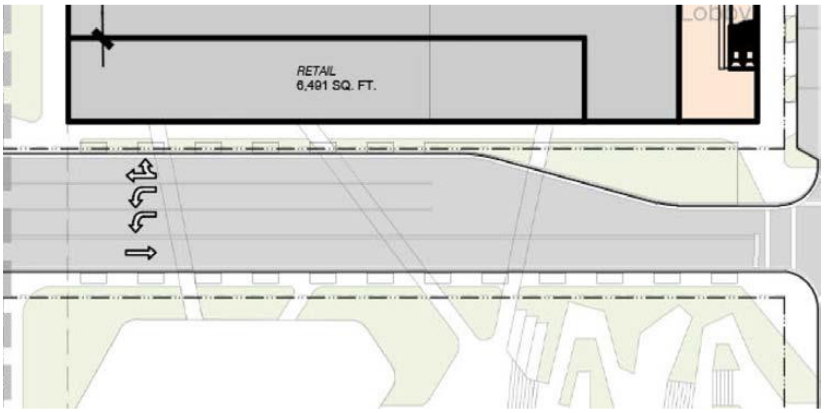
Response: The proposed Master Plan is conceptual. Details regarding site- wide street furniture will be provided at the time of site plan approval.

Corradino Response: Comment accepted on condition that site-wide street furniture will be provided at the time of the site plan approval.

Response: Acknowledged.

11. **<u>Additional Comment</u>**:

<u>Pedestrian</u>. Various pages in the proposed conceptual plan as provided in the revisions show roadway coloring which may be construed by pedestrians as crossings. In some instances, the distance between these areas that can be construed as crosswalks are too close to the intersection; this type of safety issue should be mitigated in any subsequent design.



Response: The conceptual plan has been revised to provide clarification.

<u>Parking and Loading Space Requirements</u>:

1. **<u>Development Program Page A1-15</u>:** Applicant shall clarify the number of parking spaces available by providing the total number of available spaces for each category of use. Applicant shall provide an updated number once inconsistencies in the development program between the Letter of Intent and Page A1-15, as noted elsewhere in the comments, are addressed.

   Response: The proposed Master Plan is conceptual. Details regarding parking spaces for each use will be provided at the time of site plan approval.

   Corradino Response: Comment accepted on the condition that details regarding parking spaces for each use will be provided at the time of the site plan approval.

   Response: Acknowledged.

2. **<u>Parking Distribution</u>:** Applicant shall clarity the site distribution of parking spaces.

   Response: The proposed Master Plan is conceptual. Details regarding distribution of parking spaces will be provided at the time of site plan approval.

   Corradino Response: Comment accepted on condition that details regarding distribution of parking spaces will be provided at the time of site plan approval.

   Response: Acknowledged.

3. **<u>Parking - Electric Vehicle</u>:** Applicant shall clarify if it will/will not be including electric charging vehicle stations as encouraged by Sec. 24-58 of the City's Code of Ordinances.

   Response: Applicant intends to provide electric charging vehicle stations for the project. Details regarding said charging stations will be provided at the time of site plan approval.

   Corradino Response: Comment addressed.

4. **<u>Loading Space Requirements</u>:** Applicant shall clarify the development dimensions by section and provide additional information on loading space requirements as provided for in Sec. 24-97.

   Response: The proposed Master Plan is conceptual. Details regarding parking and loading spaces for each use will be provided at the time of site plan approval.

   Corradino Response: Comment addressed.

<u>Other</u>

1. **<u>Renderings</u>:** There is a large inconsistency between renderings. For example, the landscape renderings show two pedestrian bridge structures and a boardwalk that are not found in the Civil drawings. There are also crosswalks shown in the landscape renderings that are not found elsewhere. For the purpose of this review, a clarification on which of these drawings is correct is needed.

   Response: Plans have been revised to eliminate inconsistencies.

   Corradino Response: Comment not addressed. There are still several inconsistencies between the renderings and the civil drawings.

   Response: Inconsistencies have been resolved.

2. **<u>Hurricane evacuation</u>:** Evaluation of impacts of development and redevelopment on hurricane evacuation clearance times and disaster- preparedness needs is not included. The site application in question is in general Evacuation Zone A and includes new high density residential in the proposed development.

   Response: A Hurricane Preparedness Analysis has been prepared by Kimley- Horn and Associates, Inc. A copy of this analysis is enclosed with this application for your review and consideration.

   Corradino Response: Comment addressed.

3. **<u>NE 35th Avenue</u>:** Various pages in the Intracoastal Master Plan presented by the applicant refers to NE 35th Avenue as NE 135th Avenue.

   Response: All references have been corrected.

Corradino Response: Comment addressed.

4. **<u>Five-Minute Walk</u>:** In any clarification, the applicant shall demonstrate adherence to the requirements of Sec. 24-58.7 requirements regarding a general 5- minute walk.

   Response: The proposed development sits on approximately 28.17 acres, which would take the average person approximately five (5) minutes to walk from one end to the other. The proposed project is intended to be a live, work, play environment with residential, retail, commercial and office use, including neighborhood oriented uses intended to serve the day-to-day needs of the residents. All uses are intended to be interconnected by pedestrian links, pathways, plazas, and green areas. This will create a pedestrian-friendly neighborhood oriented around the five-minute walk.

   Corradino Response: Comment addressed.

The following details proposed conditions for the acceptance of the plan:

1. Prior to site plan approval, the applicant must obtain design approval from the FDOT access management board. This approval shall be for the design presented in the Master Plan or a comparable design which satisfies the City of North Miami Beach's Eastern Mixed-Use Waterfront District (MU/EWF) code requirements by providing for multiple access points with direct east and west access to and from SR 826/NE 163rd Street and traffic mitigation such that the development does not over burden NE 35th Avenue.

   Response: Acknowledged.

2. Prior to site plan approval, the applicant will provide an updated Traffic Impact Study specific to the site plan submittal. The trip generation shall be revised for each site plan submittal's specific set of uses. All reference documents and traffic counts shall be updated accordingly if there is a lapse of a year or more between submittals.

   Response: This project has been analyzed in holistic basis taking into account the proposed development program. A trip generation statement will be provided at the time of site plan approval for each phase of development to determine whether said phase is in compliance with the traffic impact analysis approved for the project.

3. Prior to site plan approval, applicant must provide design schematics, including any mechanisms for closures, for streets designated for potential temporary closures that demonstrates the ability to effect emergency access for all buildings at all times. Bollocks and any other devices used to temporarily close primary and secondary streets shall be easily removable so as to effect quick and direct emergency vehicle access to all buildings on site.

   Response: Acknowledged.

4. The City has a high priority in ensuring that a premium transit facility is planned for this development to encourage residents and visitors to utilize available transit options. Prior to site plan approval, applicant shall demonstrate through its plans, improved or maintained

levels of transit service to the development, including accessibility and transferability between existing transit lines. Applicant will maintain/enhance the current level of service by allowing for onsite access in the form of a premium transit facility with collocated bus stops for North Miami Beach and Sunny Isles Beach trolley systems, and Miami-Dade Transit at that agency's option. A public benefit term in the Development Agreement may provide an outline for the design of such facility going forward. This term shall include features such as, but not limited to, climate-controlled shelters/facilities; digital routing displays, including real time information; seating; and WiFi hotspots. This premium transit facility shall be ADA compliant.

Response: The existing bus/trolley stop location will remain and not be relocated on NE 35th Avenue. No additional on-site bus/trolley stops will be provided as this would negatively impact transit vehicle headways.

SECTION VIII. CONCURRENCY REVIEW REPORT

1. **Level of Service Analysis**. This Level of Service analysis is based on those standards contained in the City's Comprehensive Plan and City of North Miami Beach Code of Ordinances, Chapter 24, Article XIV Public Facility Capacity; Concurrency Management regulations. A final determination of impact fees by the City of North Miami Beach and other applicable agencies shall be performed prior to the issuance of a Master Building Permit.

   Response: Noted.

2. Existing Use: Retail uses totaling 234,026 sq. Ft.

   Response: Confirmed.

3. Proposed Use: 380,000 square feet of retail space, 2,000 multifamily residential units, up to 200,000 sq. ft. of office space, and extensive public spaces.

   Response: Confirmed.

4. Transportation. Please refer to Traffic Impact Study and Concurrency Memo, dated August 22, 2019, attached separately.

   Response: Noted.

5. Potable Water. The level of service for Residential: Townhouse 250 GPD, Multifamily 150 GPD per bedroom, 10 GPD per 100 sf for stores (retail) without food service, 10 GPD per 100 sq. ft. of office space, and for irrigation systems is 0.09 GPD per square feet of green area. The proposed development consists of 38 townhouses, 2000 multifamily residential units (assumed to be an average of 2 bedrooms per unit under a conceptual plan), 380,000 sq. ft. retail, up to 200,000 ft of office, and 202,009 sq. ft of public green area (Green and Elevated Park). Subtracting the existing retail building potable water demand of 23,403 GPD from the proposed demand of 685,681 GPD, the proposed project will increase demand by 662,278 GPD. Adequate potable water supply capacities exist to service the proposed use.

   Response: Acknowledged.

   Corradino response: The revised plan provides for 380,000 SF of retail, Hotel space with 250 Keys, 200,000 SF of office space, and 2,000 residential units. 255,558 SF of public green space will be provided. The proposed conceptual plan's demand is 681,000 GPD; the proposed project will increase demand by 657,597 GPD. Adequate potable water supply capacities exist to service the proposed use under the revised conceptual plan.

   Response: Acknowledged. The Project will provide adequate potable water capacities to serve the proposed uses.

6. Sanitary Sewer. The sanitary sewer level of service standard for apartments and condominium units is 200 GPD, Townhouse is 250 GPD (gallons per day), 10 GPD per 100 sf for shopping centers, 10 GPD per 100 sq. ft. of office space. Subtracting the existing office building sanitary sewer service demand of 23,403 GPD from the proposed demand of 467,500 GPD, the proposed project will increase demand by 444097 GPD on the existing sanitary sewer treatment facilities.

Response: Acknowledged.

Corradino response: The revised conceptual plan will increase demand by 434,597 GPD.

Response: Acknowledged. The Project will provide adequate sanitary sewer capacities to serve the proposed uses.

7. Solid Waste. For the purposes of Solid Waste level of service the Miami-Dade County LOS is described herein: The County Solid Waste Management System, which includes County-owned solid waste disposal facilities and those operated under contract with the County for disposal, shall, for a minimum of five (5) years, collectively maintain a solid waste disposal capacity sufficient to accommodate waste flows committed to the System through long term interlocal agreements or contracts with municipalities and private waste haulers, and anticipated noncommitted waste flows. Based on the existing Interlocal Agreement with Miami-Dade County, as amended, and through the City's agreement with Waste Management, Inc. adequate solid waste capacity exists to service the proposed use.

Response: Acknowledged.

Corradino response: No further comments. Please refer to the Miami-Dade County's response letter regarding level of service impact determination.

Response: Noted.

8. Drainage. Outside the scope of Corradino's review as assigned by the City. Drainage is to be reviewed by the City Engineer, Miami-Dade County DERM, and through an Engineering Permit.

Response: Noted.

Corradino response: No further comments. Please refer to the Miami-Dade County's response regarding impact determination.

Response: Noted.

9. Parks & Recreation & Impact Fee. The adopted LOS standards for parks and recreation is 2 acres per 1,000 residents. The existing park acreage in North Miami Beach is 165.7 acres serving the current population of approximately 43,000 people. This translates to a LOS for parks of acres per 1,000 people, and is above the adopted 2 acres per 1,000 residents standard. In addition to maintaining levels of service, the City requires a developer to pay a Parks and Recreation Impact fee of approximately $1,044.42 per residential unit. This

project will generate $270,504 in parks and recreation impact fees. These fees will be paid prior to the issuance of a building permit. Adequate parks and recreation space exist to serve the development. Intended long term maintenance of dedicated public spaces should be further detailed given the requirements of Future Land Use Element 1.8.7 regulating the MU-EWF district.

Response: Noted. The Applicant has prepared a draft Development Agreement memorializing the comments provided above. A copy of the draft Development Agreement will be provided to City Attorney under separate cover. Final terms and conditions will be determined during this process and prior to final hearing before the City Commission of the City of North Miami Beach.

Corradino response: Under the revised Conceptual Plan, 425,466 SF (9.76 Acres), will be provided, of which 16,630 SF will be private, 26,644 SF will be semi-public, and 22,381 SF will be temporary space normally utilized for vehicular traffic. 359,811 SF, or 8.26 acres, will be active public space. This meets the 10% requirements for open space for the site, of 2.9 acres of open space. The development is expected to have 2,000 multifamily residential units (35 Low-Rise, 48 Mid-Rise, and 1917 High-Rise units). North Miami Beach's average household size is 3.12 (US Census 2019). At 6,240 people and a level of service standard of 2 acres per 1000 residents, it is estimated that 12.48 acres are needed to meet current LOS standards.

Response: Based on the Fiscal Impact Study dated March 25, 2020, and prepared by Integra Realty Resources (the "Fiscal Impact Study"), the average household size for this project is 2.25 based on the types of units proposed, which would result in approximately 4,500 residents for the project. At a level of service standard of 2 acres per 1,000 residents, it is estimated that 9 acres are needed to meet current LOS standards.

New Residents		
Residential Forecast		Increase
2024 Population	47,780	
2024 Household	17,003	
New Multifamily and Condomium units	2,000	
Average resident per Unit	2.25	
Capture Rate of New Resident	75%	
New Residents of NMB	3,375	7.1%
New Households	1,500	8.8%

The proposed project contemplates 9.4 acres (409,613 SF) of open space,[1] plus a 10,690 sq. ft. community center, which will be designed based on input to be collected by the Developer from the Eastern Shores neighborhood. Therefore, the new open space being provided exceeds the project's demands. Also, the project's proximity to parks, open space, and other passive recreation is above other areas in Miami-Dade County. Specifically, the project is within a five-minute travel time to the Oleta River State Park (across the street), and the Haulover Park in Surfside.

According to the City's Comprehensive Plan, Volume Two: Support Documents, the inventory states that there are 165.7 existing acres of City parks. Based on the 2010 census, which identified the City's population as 41,253, there is a surplus of 83.2 acres – with a population of 41,253, 82.5 acres are required at 2 acres per 1,000 population. Thus the City currently has a significant surplus of parks inventory and there are no level of service issues.

The Fiscal Impact Study estimates the City's population will be 47,780 residents in 2024:

Population Trends

	Population			Compound Ann. % Chng	
	2010 Census	2019 Estimate	2024 Projection	2010 - 2019	2019 - 2024
North Miami Beach, FL (city)	41,523	45,024	47,780	0.9%	1.2%
Miami-Dade County, FL	2,496,435	2,821,143	3,007,802	1.4%	1.3%
Florida	18,801,310	21,486,238	22,945,168	1.5%	1.3%

Source: Environics Analytics

At 47,780 people, and a level of service standard of 2 acres per 1,000 residents, it is estimated that 95.56 acres of parks needed to meet City's demands. Thus, even in 2024, <u>there will be a surplus of 70.14 acres based on current inventory</u> and not including the contributions of this project. In addition, the available 165.7 existing acres of City Parks do not include the 1,110 acres of County and regional parks in the area. *See* pages VII-11 and VII-12 of Vol. II.

The proposed project is adding 9.4 acres of open space, plus a 10,690 sq. ft. community center. Therefore, it has virtually no impact of the surplus level of service and no level of service issues are created by the project.

Furthermore, the Parks Impact Fee is intended specifically to provide for new park space demand created by new development:

> **Sec. 24-191 - Purpose. The intent of the "Park Impact Fee" is to assist in the implementation of the City of North Miami Beach**

[1] Open space required for the project is 10% of total lot area. With a total lot area of 1,267,151 SF, the open space required is 126,715.1 (2.90 acres). Thus, the provided open space of 409,613 SF (9.4 acres) significantly exceeds the open space requirement for the project.

Comprehensive Plan and to regulate the use and development of land so *as to assure that new development bears a proportionate share of the cost of capital expenditures necessary to provide parks* and park improvements in the City of North Miami Beach.

The Parks Impact Fee for this project is 1,044.42 per unit, resulting in an estimated Parks Impact Fee of $2,088,840.

SECTION IX. URBAN DESIGN

Regarding the Text Amendments

1. What is the use requiring stories that exceed the permitted height?

   a. Why is applicant asking for 18' stories above the ground level?

   BA Comment: Response is noted.

2. If a movie theater requires 35' at the ground level, is amendment necessary?

   a. Movie theater just takes up the first 3 stories of the building.

   BA Comment: Applicant indicates that a movie theater is located at an upper level. However, upon review, could the movie theater be located on what is considered floors 2, 3, 4 of the structure, given the availability of significant building height (stories) permitted in the code. In this case, it would just count has 3-stories for that use.

   Response: This comment has been addressed. As discussed on April 9, 2020, Staff's proposed text amendment provides flexibility to incorporate special uses such as movie theaters.

3. Provide dimension on the proposed plan where maximum overall dimension of 560' is required.

   BA Comment: Response is noted. Drawings indicate a building on Block S3 with individual sides of the building labeled as linear dimension of 346', 235', 287', 395', 68', and 195'. Because the sides labeled 346' and 235' are accompanied by a significant deflection of the street, it is our opinion that those may be considered separate. Therefore the maximum dimension proposed in the drawings would be the north and south face of the building on Block S2.

   Response: Noted.

4. Provide dimension on the proposed plan where the maximum overall block dimension of 600' is required.

   BA Comment: Drawings do not indicate a block dimension that exceeds the maximum 600' feet dimension.

   Response: This comment has been addressed. Additionally, as discussed on April 9, 2020, Staff's proposed text amendment provides a maximum overall block dimension of 600 feet for the MU/EWF zoning district.

5. Regarding active use frontage along NE 35th Avenue, that is an Existing Primary Street. Code typically requires active use on all levels of that frontage. Hardship would need to be demonstrated to loosen regulations.

BA Comment: Response is noted.

6. Drawings indicate 50' wide landscape buffer along NE 35th, however there is a ROW dedication running through it. Is that the case?

   BA Comment: Response is noted. Also, please provide clarification regarding the elevated park. Proposed Designated Publically Accessible Open Spaces and Greenway Systems Regulating Plan still references the elevated park. It was our understanding from previous meetings that that was going to be removed.

   Response: Drawings have been updated to eliminate the elevated park.

7. Can there be a ped bridge that connects where the streets dead-end at the canal? What is size of the boats that are imagined to come through the canal?

   BA Comment: Response is noted.

<u>Sec. 24-58 – Mixed Use (MU) District</u>

(J) (3) c. i. Cul-de-sac in the southeastern corner of the property is not permitted.

BA Comment: Response is noted.

(J) (3) c. iv. 1-2. Street Section (G) does not meet requirements for minimum 5 feet landscape strip/tree grate along the street.

Street Section (H) does not meet requirements for minimum 5 feet landscape strip/tree grate along the street.

Street Section (I) does not meet requirements for minimum 5 feet landscape strip/tree grate along the street.

Street Section (J) does not meet requirements for minimum 5 feet landscape strip/tree grate along the street.

BA Comment: Drawings indicate conceptual plans are in compliance.

(K) (2) b. i. Drawings indicate that parking garages are not screened by a Liner building on all levels at all frontages.

BA Comment: Response is noted.

(K) (2) b. ii. Provide dimensions for all vehicular access points of garages.

BA Comment: Response is noted.

(L) (1) a. Tree counts will be required.

***BA Comment:* Response is noted.**

(L) (1) a. i. Provide calculation demonstrating compliance with requirements for maximum of 25% of trees can be palm species.

BA Comment: Response is noted.

(L) (2) d. Provide overall dimension of each block on landscape plans and calculation depicting compliance with street tree spacing requirements.

BA Comment: Response is noted.

(O) (1-3) Indicate locations of mechanical equipment and service utilities on plans.

BA Comment: Response is noted.

(S) (1) a. Provide dimensions for each side of building to not exceed 300 feet.

BA Comment: Please note that the referenced sheet A1-16 indicates dimensions of the overall block length. In the drawings submitted, the building lengths are referenced on A1-22. Applicant is proposing text amendment, rather than a variance.

Response: Confirmed.

(S) (1) g. ii. Proposal indicates parking structures with no active use liner on existing primary street, new secondary street and new tertiary street.

BA Comment: Response is noted.

(S) (1) n. Proposal indicates dwelling units less than minimum allowed 550 sq.ft.

BA Comment: Please provide information regarding the mixture of residential units and their sizes to demonstrate compliance with these requirements. It is assumed that this information will be provided in compliance with the standards of the code at the time of individual site plan review.

Response: The previously proposed microunits (units smaller than 550 SF) have been eliminated from the proposed project. As proposed, all units will range from 550 SF to 3,200 SF in compliance with the code.

(S) (2) Parcel diagram indicates blocks in excess over the 400' maximum length permitted and the maximum perimeter of 1,400'.

BA Comment: Response is noted.

(S) (3) Drawings should indicate the building typology that each structure is intended to be constructed.

BA Comment: Drawings indicate building typologies.

(S) (3) b. iii. 1. Provide calculations demonstrating compliance with standards for average floor plate area, dependent on tower use.

BA Comment: Drawings indicate conceptual plans are in compliance. These standards will be further reviewed for compliance with the code at the time of individual site plan review.

Response: Acknowledged.

(S) (3) b. iii. 2. Provide dimension between towers. Since the minimum dimension between two separate tower floor plates is 60', please provide dimension for clarification for northern tower in block S3. Suggestion is that tower shall be 30' away from the property line, so that vacant parcel can redevelop a tower on their parcel and accommodate the other 30' to meet that minimum distance of 60'.

BA Comment: Drawings indicate conceptual plans are in compliance.

<u>Sec. 24-58.7 – Mixed Use Waterfront (MU/EWF) District</u>

(E) (1) The adopted Sub-Areas Regulating Plan calls for additional Edge Sub-area along NE 35th, however the site plan indicates considerably more of the Transition Sub-area. Given the City's efforts to update the MU-Canalside, to the west of the property, this alternative seems to be satisfactory.

BA Comment: Response is noted.

(E) (2) Is there a way to connect the two-dead end streets at the canal, with a pedestrian bridge or other connection to complete the internal circulation loop? Presently, the design indicates two-independent loops. It would be nice to be able to connect them to one another, even if just for pedestrians.

BA Comment: Drawings indicate applicant has included an additional pedestrian bridge to close the loop.

(E) (3) Why is the triangular open space along NE 163rd Street not included?

BA Comment: Response is noted.

(E) (4) The proposed Building Heights Plan indicates a fine-grain transition of heights in the general spirit of the adopted plan. However, it is unclear why the additional stories are needed? Higher story height above the first story, but the maximum height (feet) stays the same?

BA Comment: Response is noted. However, it does not clearly demonstrate why the additional stories are needed. The proposed regulating plans appear to indicate a greater amount of the site area dedicated to 40 stories and 48 stories, versus the adopted regulating plan area dedicated to maximum 40 stories. Provide dimensions of areas of each area as they compare to the current regulating plans. It is our opinion, that due to the sensitive

nature of building heights, it may be beneficial to label the proposed regulating plans as 40 stories and 495 feet the same way that it is in the adopted regulating plans.

Response: This comment has been addressed. As discussed during the conference call on April 9, 2020, Staff's proposed text amendment provides flexibility to the number of stories permitted so long as the maximum height is satisfied. We have revised the Conceptual Master Plan to reference the maximum allowable height of 495 feet.

(G) (1) d. Proposed plan indicates that the buildings fronting NE 35th Avenue does not contain active uses on all levels.

BA Comment: Response is noted.

(G) (1) e. Proposed plan indicates that the buildings fronting NE 35th Avenue does not contain active uses along the ground level at southwest corner of the parcel.

BA Comment: Response is noted.

(G) (1) g. i. Proposed plan indicates 50' landscaped buffer, however Sheet A1-30 indicates a road encroaching within the area.

BA Comment: Response is noted. Sheet A1-18 indicates a 50' area between the building frontages and the black dashed line around the subject properties along NE 35th Avenue. However, the code requires that the 50' landscaped buffer shall be within the proposed project property, between the development and NE 35th Avenue. The landscaped buffer shall not contain any structures, driveways, or roads, except sidewalks, bike paths, transit shelters or similar. The proposed plan indicates a 50' wide area, however it includes turn lanes and driveways into service areas of buildings.

Response: This comment has been addressed. As discussed on April 9, 2020, the encroachment on the 50' landscape buffer area is acceptable to Staff. 30' of the landscape buffer has been utilized to provide active liners, and pursuant to the proposed text amendment, turn lanes and driveways will be permitted.

(I) (2) a. Proposed plan indicates a waterfront promenade section that varies from these standards. Public access is required for no less than the minimum width, throughout the waterfront promenade.

BA Comment: Response is noted. Where conditions occur that prevent the applicant from meeting the standards due to environmental conditions along the Intracoastal and existing canal, has documentation been provided to the City staff?

Response: As discussed on April 9, 2020, the enclosed plans have been revised to show the minimum width of the waterfront promenade, as measured from the property line in compliance with the Sections 24-58.7(I)(2)(a) and (b) City Code.

(I) (3) a. Provide dimension for length of all individual waterfront promenades and urban greenways and demonstrate compliance with requirements for minimum 70% of shade from tree canopy.

BA Comment: Response is noted.

(I) (3) b. Provide inspiration images for each of the street furnishings listed.

BA Comment: Response is noted.

(J) Clearly label the height (Stories & Feet) for each individual building component on the plan.

BA Comment: Response is noted. The detailed dimensions of each story and overall height of all structures in the project shall be provided to be in compliance with the code, on building section drawings at the time of individual site plan review.

Response: Acknowledged.

(K) Clearly label the intended building typology for each individual building component on the plan

BA Comment: Drawings indicate building typologies.

(K) (2) Clearly label the property line and the setback line for each of the individual development parcels on the proposed site plan.

BA Comment: Drawings indicate property lines and setback lines.

(L) Provide all calculations for all parking Individually number all parking spaces on each level of parking structure Provide labels for guest parking

BA Comment: Response is noted.

(M) Provide all calculations for bicycle racks and bike storage Provide labels and individually number each Provide labels for shower and changing facility

BA Comment: Response is noted.

(N) Provide information regarding anticipated signage for each component of the proposal

BA Comment: Response is noted.

Holland & Knight

701 Brickell Avenue, Suite 3000 | Miami, FL 33131 | T 305.374.8500 | F 305.789.7799
Holland & Knight LLP | www.hklaw.com

Memorandum

Date: February 6, 2020

To: Mr. Justin Proffitt, AICP
Manager, Planning & Zoning Department
City of North Miami Beach

From: Tracy R. Slavens, Esq.
Vanessa Madrid, Esq.

Re: **Dezer Intracoastal Mall LLC / Intracoastal Mall Redevelopment**
3501 Sunny Isles Blvd., North Miami Beach, Florida (Item # 19-3)

Response to TRAD Comments Dated September 13, 2019

Please refer to the sections described below for the Applicant's responses to the TRAD comments.

SECTION NO.	TITLE	*PAGE NOS.*
I.	**UTILITIES / ENGINEERING**	*2-3*
II.	**PUBLIC WORKS**	*4-5*
III.	**STANTEC TRAFFIC IMPACT ANALYSIS FOR THE INTRACOASTAL MALL REDEVELOPMENT**	*6-8*
IV.	**POLICE / CPTED**	*9-10*
V.	**PARKS AND RECREATION**	*11*
VI.a.	**CORRADINO TRAFFIC REVIEW**	*12-18*
VI.b.	**CORRADINO CONCURRENCY REVIEW**	*19-20*
VII.	**BERMELIO & AJAMIL ARCHITECTURAL REVIEW**	*21-26*
VIII.	**PLANNING & ZONING**	*27-33*
IX.	**CITY OF SUNNY ISLES BEACH**	*34-35*

SECTION I. UTILITIES / ENGINEERING

Water:

1. This site lies within the NMB Water's water service area.

   Response: Acknowledged.

2. Existing buildings are served with an 8-inch/12-inch water main loop for fire flow and domestic service around the site.

   Response: Acknowledged.

3. Entire site will need to upgrade with a new 12-inch zinc coated water main due to the site's new geometry and the introduction of a finger canal. All fire hydrant will also need to be upgraded to 6" barrel hydrants for improved fireflow.

   Response: Acknowledged. A proposed 12-inch water main loop is shown on the conceptual utility plans.

4. Service to the standalone office building in the NE corner needs to be maintained throughout the construction phases of the project. The easements for this building's utility lines need to be looked at closely. The new finger canal cuts off the looped circulation of water service and possibly the sewer connection to this building.

   Response: This building will be demolished in the new program and will have a proposed 12-inch water main providing service to the new building.

5. Were any soil borings performed on this site? Much of Eastern shores was originally fill.

   Response: The Applicant is not aware of any borings being completed to date.

6. The 30" water transmission main that serves all of Sunny Isles Beach runs through an easement on the site adjacent to the North side of the bridge and near the Duffy's restaurant. In fact, it runs about 5 feet from the current swimming pool. The proposed building on this location shows a notch to avoid relocating the water transmission line. We will not allow a 30" water main run under the extension of the building.

   Response: The building has been pushed further north and is now a adequately clear of the water main.

Sewer:

1. Site lies within Miami-Dade county's sewer service area.

   Response: Acknowledged.

2. All coordination on the sewer side needs to take place with the County Water and sewer department.

   Response: Acknowledged.

3. Preliminary civil plans appear to show the conversion from a private sanitary collection system and lift station to a direct connection on NE 35 Avenue to the

County sewer main.

Response: The revised plans show a proposed public gravity sewer main connecting to a proposed MDWASD pump station. This proposed pump station will replace the existing pump station in the median near NE 35th Avenue and NE 146th Street.

SECTION II. PUBLIC WORKS

- Define clearly whether any works are proposed for the existing Florida Power & Light Sub- station along Sunny Isled Boulevard. Coordination with FPL would be required.

  Response: There are no proposed changes to the FPL Sub-station. Roadway connections to the sub-station will be improved and landscape buffers will be proposed to screen the station from the development.

- Define clearly whether any works are proposed for the existing Miami-Dade Water and Sewer Pump Station #426, adjacent to the FPL Sub-station. Coordination with MDWASD would be required.

  Response: Please refer to sheet CU101 for the location of the proposed WASD pump station.

- Consultation with FDOT is necessary for the proposed development and its impact on the SR #826.

  Response: Noted. Both Applicant and City have been coordinating and will continue to coordinate with FDOT.

- Consideration should be given to incorporating resiliency concepts including raised seawall cap. If such measures are proposed, clearly indicate, e.g. the proposed height of infrastructure.

  Response: The proposed marine/waterfront design will incorporate resiliency concepts to ensure the maintenance of water quality in the upland cut harbor basin and north canal, compliance with Miami-Dade County's Manatee Protection Plan, avoidance/minimization of seagrass and mangrove wetland impacts; and compliance with navigational safety standards.

- New waterway will require various environmental permits including, but not limited to, DERM, FDEP, SFWMD, and US Army Corp of Engineers.

  Response: Applicant acknowledges that the proposed waterway will require environmental permitting and regulatory compliance.

- All franchised utilities (power, phone, cable) shall be installed underground to increase aesthetics and resiliency. Utilities along the NE 35 Avenue must also be included.

  Response: Noted. Plans have been updated accordingly.

- Lift Station in center median on NE 35th Avenue is proposed to be relocated; provide clear details of proposed new facility. Also consider amendments to the other station located at the northwestern corner of the property.

  Response: The revised plans show a proposed public gravity sewer main connecting to a proposed MDWASD pump station. This proposed pump station will replace the existing pump station in the median near NE 35th Avenue and

NE 146th Street.

- Provide extension of natural gas line along NE 35th Avenue, from 3405 NE 163 Street. Estimated cost for line extension is $865,000.

  Response: Comment Acknowledged. Design of gas line will be completed by utility company.

- Incorporate roadway construction improvements on NE 35th Avenue from NE 163 St to NE 171 St (including bike facilities) as part of roadway improvements to mall entrance of NE 35th Avenue This project has been designed and is in the permit process.

  Response: Acknowledged.

- Include trolley pullout bay on NE 35th Avenue and trolley station built to City Standards.

  Response: Acknowledged. See updated Transit Diagram.

- Redevelopment of Tot Lot must be included in development project. Provide details of works for incorporation.

  Response: Acknowledged. An expanded playground area is proposed adjacent to the existing Tot Lot. See Landscape plans.

- Comments for the Traffic Impact Analysis (Stantec) are appended.

  Response: Noted.

SECTION III. STANTEC TRAFFIC IMPACT ANALYSIS FOR THE INTRACOASTAL MALL REDEVELOPMENT

Trip Generation

1. The study estimated the effective net additional traffic from the redevelopment by subtracting the ITE trip generation estimate for the existing shopping center from the ITE trip generation for the proposed redevelopment uses. While valid for general concurrency and trip vesting purposes, this method may overestimate the actual traffic generated by the existing site, and therefore underestimate the additional traffic from the proposed redevelopment.

   An aerial view of the site indicates that traffic counts at the existing site driveways is practical, and this would provide a much greater level of confidence in amount of traffic to and from the existing site. Therefore, it is recommended that traffic data at the existing driveways be collected and be used as the basis for the existing project traffic at the project access locations, and the following intersections of

   - SR 826/NE 163rd Street and NE 35th Avenue
   - NE 35th Avenue and NE 164th Street
   - SR 826/NE 163rd Street and Intracoastal Mall Driveway

   One day of AM and PM peak hour manual counts at the site driveways would be sufficient for this purpose. For the office building located in the northeast corner of the site that is not included in the redevelopment, it would be acceptable to estimate the traffic from that use using the ITE average rates for the AM and PM peak hours, and subtract those estimates from the counted trips.

   The Future Total Conditions, Alternative 1, and Alternative 2 analyses for these intersections should then be based on the updated total traffic volumes resulting from the revised net new project trips.

   Response: Using the collected turning movement counts (TMCs) to estimate the existing trip generation at the driveways of the site, SR 826/NE 163rd Street at Intracoastal Mall Driveway and NE 164th Street at NE 35th Avenue, results in a higher P.M. peak hour trip generation than that

calculated using ITE's Trip Generation Manual, 10th Edition. As the calculated trip generation is less than the collected traffic counts, the calculated net new traffic generates more trips and results in a conservative analysis.

Please note that SR 826/NE 163rd Street and NE 35th Avenue is not a development driveway as it provides access to and is utilized by the residential area to the north of the development. A copy of the updated Traffic Impact Analysis and responses prepared by Kimley-Horn and Associates, Inc., are enclosed for your review and consideration.

Future Total Conditions, Alternative 1, and Alternative 2 Analyses

1. At the SR 826/NE 163rd Street and NE 35th Avenue intersection, turns on red are prohibited on southbound approach, and thus right-turns on red represent violations. In the Future Total Conditions analyses (including Alternatives 1 and 2), SB right-turns on red are assumed to increase significantly above existing volumes.

   Since SB right-turns on red are prohibited, it is unlikely that these types of violations will increase at the magnitude assumed. Therefore, please revise all Future Total Conditions analyses (including Alternatives 1 and 2) to assume no more than the existing volume of SB right-turn on red vehicles.

   Response: All analysis conditions have been updated to restrict right-turns on red (RTOR). Although some violations may occur under existing conditions, restricting all right-turns on red provides a conservative analysis as all prohibited RTORs are eliminated. Note that the subject intersection continues to operate at adopted levels of service. The updated traffic study and responses prepared by Kimley-Horn and Associates, Inc., are enclosed for your review and consideration.

Alternatives 1 and 2 Geometry

2. At the SR 826/NE 163rd Street and NE 35th Avenue intersection, both Alternatives 1 and 2 depict an inside receiving lane for SB left-turns which quickly merges into the receiving lane for the outside SB left-turn. This merge area would extend only 200 feet. Given the estimated SB left-turn volumes for

Future Total Conditions (279 vehicles in the PM peak hour, perhaps higher contingent on the updated net new trip generation estimate), it seems unlikely that this geometry could provide for adequate traffic operations, in that it would result in forced quick merge movements by drivers unfamiliar with the intersection, as well as significant under-utilization of the inside left-turn lane by drivers familiar with the intersection. We recommend that this geometry be revisited in an effort to accommodate both southbound turn lanes using existing receiving lanes.

If the existing receiving lanes cannot accommodate both southbound left turn lanes, and a new merge lane would be required, the Alternatives 1 and 2 analyses should be revised to use a SB left-turn lane utilization that reflects the likely under-utilization of the inside SB left-turn lane. A 75%/25% split would seem reasonable, which is a lane utilization factor of 0.67.

Response: The lane utilization factor for the southbound left-turn lane at the intersection of SR 826/NE 163rd Street and NE 35th Avenue was updated to be 0.67 for Alternatives 1 and 2. Note that the subject intersection continues to operate at adopted levels of service. Furthermore, note that this does not apply to Alternatives 3 and 4 as only one (1) left-turn lane is provided. The updated traffic study and responses prepared by Kimley-Horn and Associates, Inc., are enclosed for your review and consideration.

SECTION IV. POLICE / CPTED

Recommendations:

Security/Lighting Concerns:

- Please provide photometric plans for all sections of this project.
- CCTV Plan Recommendation.
- PD recommends the installation of several Emergency Call Boxes.
- Join our NMBPD Trespass After Warning Program

Response: Noted.

Traffic/Parking Concern:

- PD recommend centering the intersection if possible.

Response: The intersection alignment has been improved with the addition of a traffic lane at NE 164th Street.

- PD recommend installing a traffic intersection at this location.

Response: NE 164th Street is currently a signalized intersection.

- PD recommend installing Emergency Vehicle Lanes (Fire Lane) and indicating the locations on CS101.

Response: Fire Access and circulation has been evaluated throughout the site. See Sheet CS101.

Marine/Dock Concern:

- Install No Wake/IDLE Speed signs
- PD recommend hiring a Dock Master to control the boat dock area.
- PD recommend the installation of NO Swimming signs in the Kayaking area.

Response: Noted. Please note that municipalities and counties only have authority to create boating restricted areas under Section 327.46, Florida Statutes, and they must be approved and permitted through the Florida Fish and Wildlife Conservation Commission (FWC). In this case, based on the approved speed zone map provided by the FWC, the City did not approve a City-wide idle speed/no wake zone with the FWC. See below image of the speed zone map:

Therefore, subject to FWC approval and authorization, the Applicant may install slow speed/minimum wake signs on the canal and within the Property's harbor basin. There are already idle speed signs on the Intracoastal Waterway at the bridge. Signage and operational details will be provided at the time of site plan approval.

SECTION V. PARKS AND RECREATION

- How is the roof top park accessed for the general public? How do you get to the Park?

  Response: The roof top park has been removed. The required public open space has been accommodated along the central park and waterfront and is accessible by the public.

- Park edge along 35th avenue – need some type of barrier to protect users – major thoroughfare NE 35th Avenue

  Response: Acknowledged. A fence is proposed around the children play areas in the North-West Corner Park. A multi-layer planted barrier is proposed between the central park promenade/pedestrian area and 35th Avenue. The park has also shifted farther away from 35th Avenue.

- Is the development dog friendly? There are no areas for dogs. Suggestion is the path around new waterway should contain grass and doggie stations and or create a new self-contained dog park.

  Response: The development will be dog friendly. A new self-contained dog park will be placed on the southeast corner of the site adjacent to the Intracoastal Waterway.

- Playground Tot Lot. There doesn't seem to be any new or expanded playground to meet the needs of all ages.

  Response: A new expanded kid's play area is proposed adjacent to the existing Tot Lot on the northwest corner of the Property.

- Park bathrooms/storage for maintenance supplies etc.?

  Response: A Community facility is proposed at the northwest corner of N1 adjacent to the kid's play area. Storage rooms and bathrooms will be accommodated within this space shown in the plans as "Kayak Shack".

- Park pavilions/small community center?

  Response: A Community facility is proposed at the northwest corner of N1.

- Kayak launch open to public?

  Response: Yes, the kayak launch is open to the public.

- Parking for park use?

  Response: Parking for the park uses will be accommodated within the parking structure of N1.

SECTION VI.a. CORRADINO TRAFFIC REVIEW

Transportation

Methodology

1. **Introductory Paragraph:** The methodology includes the analysis for a redevelopment that consists of 345,000 square feet of retail space, 2,000 multifamily residential units, 200,000 square feet of office space and 25,000 square feet of gym space. The application's diagrams consist of 400,000 square feet of retail space, 2,000 multifamily residential units, 200,000 square feet of office space, 25,000 square feet of gym space, 175 hotel rooms and a fire station. The applicant's letter of intent provides for 380,000 square feet of retail space; 2,000 multi-family residential units, up to 200,000 square feet of office space, and public spaces. The Traffic Impact Study should evaluate all land use categories identified in the redevelopment.

   Response: The proposed development program used in the traffic study has been updated to include 200,000 square feet of office space, 280,000 square feet of retail space, a 50,000 square-foot supermarket, 45,000 square feet of gym space, 2,000 multifamily residential units (35 Low-Rise, 48 Mid-Rise, and 1917 High-Rise units), and a 250-room hotel. The updated traffic study has been provided under separate cover. Note that the results of the traffic analysis did not change.

2. **Peak Hour Trip Distribution, Figure 4:** The driveway north of NE 164th Street shall be evaluated as part of the Traffic Impact Study.

   Response: The analysis has been updated to include the driveway north of NE 164th Street. The updated traffic study has been provided under separate cover.

3. **Conceptual Improvements Figure:** The proposed northbound left-turn lane closure removes the entrance to the existing development on the northwest corner of NE 163rd Street and NE 35th Avenue. This improvement needs to be reevaluated to provide an alternate route for entrance to this development along NE 35th Avenue.

   Response: The site can be accessed via the driveway on the Kings Realty Plaza. The median along NE 35th Avenue will be modified to include an opening at the driveway on the north side of the site for Alternatives 1 and 2. Note that for Alternatives 3 and 4 the existing access on NE 35th Avenue will be maintained. Updated conceptual plans can be found in the updated traffic study provided under separate cover.

4. **Attachment A – Conceptual Site Plan and Location Map:** In the Site Plan provided in Attachment A of the Traffic Study Methodology, the development in N1 is shown as Supermarket. In the materials provided in the application, this same development is shown as retail. The land use type for this development needs to be clarified to ensure that the correct trip generation is being utilized.

   Response: The development program used in the traffic study as well as the site plan have been updated to include 200,000 square feet of office space, 280,000 square feet of retail space, a 50,000 square-foot supermarket, 45,000 square feet of gym space, 2,000 multifamily residential units (35 Low-Rise, 48 Mid-Rise, and 1917 High-Rise units),

and a 250-room hotel. The updated traffic study will be provided under separate cover.

5. **Modal split:** Modal split assumptions shall be supported by demonstrated access to and within the site, including pedestrian, bicycle, water and bus transit facilities.

   Response: Please refer to Sheets A1- 23 through A1-26 for graphics of multimodal access to the site.

6. **Police Substation:** If the City requests a police substation as provided for by the code of ordinances for this district, it shall be included in the traffic study methodology.

   Response: Emergency services are exempt from transportation concurrency, the impact of the police station shall not be evaluated as part of this application. Therefore, it will not be included.

Circulation/Access

1. **Circulation, Page A1-20:** A figure should be included that illustrates the egress points and patterns for vehicle and loading circulation.

   Response: The proposed Master Plan is conceptual. Egress points and patterns for vehicle and loading circulation will be provided at the time of site plan review.

2. **Circulation, Page A1-20:** The vehicle circulation will be problematic when the promenade streets along the canal are closed for events. The circulation plan during events should be evaluated for potential impacts to the ingresses and egresses and NE 35th Avenue.

   Response: The proposed Master Plan is conceptual. The circulation plan during events will be addressed at the time of site plan review.

3. **Fire Lanes:** No Fire Lanes are noted within the Plan.

   Response: The proposed Master Plan is conceptual. Fire Lanes will be provided at the time of site plan review.

4. **Access:** Applicant shall explore if site needs an additional ingress/egress on the southern edge of the site, and if not, justify having only one ingress/egress point on the southern side of the site.

   Response: Additional Ingress/egress on the site will be considered at the time of site plan review.

5. **On-street loading areas:** Applicant shall explore needs for pull-ins/outs for bus loading areas and passenger loading zones throughout the site.

   Response: Pull-ins/outs for bus loading areas and passenger loading zones throughout the site will be addressed at the time of site plan review.

Transit

1. **Transit, Page A1-21:** The proposed trolley stop is located at the bottom of a shared thru and right turn lane bay. This location needs to be reevaluated to address the problems this will cause with vehicle queue and safety concerns. The proximity of the trolley stop to the most transient portion of the development shall also be evaluated.

   Response: Our team will coordinate with the City and Miami-Dade Transit on selecting the appropriate location.

2. **Transit, Page A1-21:** The proposed trolley line is drawn incorrectly. The proposed line shows the trolley traveling north on NE 35th Avenue between the first ingress location and NE 164th Street. The first ingress location is a one-way only, therefore this movement cannot occur.

   Response: The existing and proposed transit connections are shown on Sheet A1-27.

3. **Transit, Page A1-21:** Applicant shall demonstrate how transit stop placement as proposed will achieve City's Comprehensive Plan Future Land Use Policy 1.2.15, Future Land Use Policy 1.8.1, Future Land Use Policy 1.8.8, Transportation Element Policy 1.1.3, and Transportation Element Policy 1.2.8. The transit plan as presented reduces the viability of transfer between transit systems from current conditions.

   Response: The existing and proposed transit connections are shown on Sheet A1-27. In addition, the projected impacts of the proposed redevelopment meet the required levels of service. You will note that with the proposed plan revisions the transit plan improves the current transit conditions in compliance and in furtherance of the City's Comprehensive Plan Future Land Use Policy 1.2.15, Future Land Use Policy 1.8.1, Future Land Use Policy 1.8.8, Transportation Element Policy 1.1.3, and Transportation Element Policy 1.2.8, which generally encourage the redevelopment to promote mixed-use development, which is vertically and/or horizontally integrated, pedestrian-friendly, with multi-modal transportation connectivity to other areas to encourage mass transit, and reduce the need for automobile travel.

   The proposed development consists of a well-integrated mix of land uses, and creates and enhances community-befitting assets with over 425,000 square feet of open space, including green area, plazas, seating areas, colonnades, and shaded landscaped areas. The project contemplates the safe, interconnectivity of vehicular, pedestrian and other non-motorized movement, by providing various egress/ingress access points, bus stops and transit connections, and a pedestrian and bicycle friendly environment. The project's design and mix of uses fosters walkability by interconnecting to the network of pedestrian friendly streets, creating a network of sidewalks within the Property, and creates distinctive, attractive project with a strong sense of place through its unique architecture, site planning, walkability, connection to a variety of transportation choices, enhancement of neighborhood identity, and its choice of landscape materials and amenities, including the proposed canal.

4. **Transit, Page A1-21:** The Sunny Isles Trolley Orange Line currently has the main transfer hub (Stop 37) to North Miami Beach at this site location. This existing line needs to be depicted in the Transit Plan.

   Response: The existing and proposed transit connections are shown on Sheet A1-27.

5. **Transit, Page A1-21:** The intersections being utilized in the transit plan must demonstrate the ability for travel and turns by the existing trolley vehicle stock and potential future vehicle stock.

   Response: Noted. Please see revised plans showing existing and proposed transit connections are on Sheet A1-27.

6. **Transit, Page A1-21:** Clarification needed on existing transit infrastructure and any replacement, addition, or removal.

   Response: Please see revised plans showing existing and proposed transit connections are on Sheet A1-27.

7. **Conceptual Striping and Signage Plan, Page CS101:** Transit stop markings and signage not indicated at proposed stop location from page A1-21.

   Response: Plans have been revised accordingly.

8. **Transit, Page A1-21:** Applicant shall explore opportunities to provide premium transit, including hubs, within the site, and account for transit access given the site's size and development pattern. At least 3 transit stops should be considered. On-site transit transfers between different transit lines (Miami-Dade Transit, North Miami Beach, Sunny Isles Beach), as well as the proposed water transit, should be included. Transit stop amenities and associated first-last mile infrastructure which will encourage transit usage, given local conditions, should be included in the conceptual plans.

   Response: Noted. The project complies with this as it contemplates various transit connections including a bus stop and trolley stop along NE 35th Avenue, a bus stop along 163rd Street, and the water taxi.

9. **Transit, Page A1-21:** Water transit system's intent, including stop locations, should be clarified.

   Response: Please see revised plans showing existing and proposed transit connections are on Sheet A1-27. Details regarding water taxi operations will be provided at the time of site plan approval.

Waterfront Access

Sec. 24-58.7(A) provides a requirement for public access to waterways:

1. Applicant shall clarify inconsistencies between renderings and civil drawings and demonstrate the required public access from the western edge of the site.

   Response: Acknowledged.

2. Applicant shall demonstrate public access to waterfront via pedestrian and bicycle

access from the southern edge of the site.

Response: Acknowledged. See Sheet A1-26.

3. Applicant shall clarify waterfront accessibility and planning for non- motorized water transit and activities, jetskis, and considerations for dockmasters as part of the conceptual plans for the proposed canal, boardwalk/intracoastal waterway, and along the existing waterfront on the northern edge of the site.

   Response: The proposed Master Plan is conceptual. Details regarding water activities and operations will be provided at the time of site plan approval.

Pedestrian/Bicycle

1. **Conceptual Striping and Signage Plan, Page CS101:** A North-South crosswalk at the intersection North of NE 164th Street and NE 35th Avenue needs to be included.

   Response: A crosswalk has been provided at NE 164th and NE 35th Avenue.

2. **Conceptual Striping and Signage Plan, Page CS101:** It is unclear how pedestrians have cross street access from/to the townhouses in the northern quadrant of the development.

   Response: There is a crosswalk along NE 35th Avenue along the park as well as a mid-block crossing at the N2 block. Pedestrians can also walk along the waterfront promenade that connects the entire site.

3. **Conceptual Striping and Signage Plan, Page CS101:** There is no pedestrian access to/from Oleta River State Park depicted within this application. This access is extremely important for connectivity to the Park.

   Response: Pedestrian and bike access are proposed along the north side of NE 163rd Street west towards NE 34th Avenue connecting to Oleta River State Park.

4. **Conceptual Striping and Signage Plan, Page CS101:** The offsite bicycle pathways are not continuous in these plans or the latest Alternative improvements provided by the City. The pathways shown do not connect with the North Miami Beach Master Plan or the Sunny Isles Beach Master Plan. There is no direct onsite access from the offsite bicycle facilities provided.

   Response: Bike access is proposed along the north side of NE 163rd Street west towards NE 34th Avenue connecting to Oleta River State Park and the existing bike lane along 163rd Street.

5. **Conceptual Striping and Signage Plan, Page CS101:** The improvements along NE 163rd Street will realign the roadway. There shall be an evaluation on optimal placement to reduce level of stress and conflict points with vehicular traffic flow, including safety to be consistent with Comprehensive Plan Transportation Element Policy 1.5.1.

   Response: Acknowledged

6. **Application documents:** Within the application documents, there is not enough information on bicycle circulation or facilities within the development. Bicycle Parking is required under district regulations 24-58.7(M) and associated plans and

must be provided for review.

Response: See Sheet A1-26 for the on-site bicycle and pedestrian network throughout the site.

7. **Bicycle:** Additional consideration should be provided for continuous facilities for bicycle access along NE 163rd Avenue.

   Response: Connections from the site to the existing bike lanes along 163rd Street are provided.

8. **Bicycle:** Current bicycle lane project undertaken by City Public Works along NE 35th Avenue should be reflected in the conceptual planning.

   Response: Acknowledged.

9. **Open Space, Page A1-22:** Additional clarification is needed for the semi- public space noted as "Terrace 2nd Floor" East-West, including pedestrian circulation and accessibility.

   Response: See Sheet A1-26 for the on-site pedestrian network throughout the site both at ground level and along the second floor retail terraces linking from building to building with vertical access points noted.

10. **Pedestrian:** Conceptual spacing of seating for pedestrians site-wide shall be clarified. Incorporation of any technology to enhance pedestrian accessibility, mobility, and encouragement for walking activity should be noted and clarified as applicable.

    Response: The proposed Master Plan is conceptual. Details regarding site-wide street furniture will be provided at the time of site plan approval.

Parking and Loading Space Requirements:

1. **Development Program Page A1-15:** Applicant shall clarify the number of parking spaces available by providing the total number of available spaces for each category of use. Applicant shall provide an updated number once inconsistencies in the development program between the Letter of Intent and Page A1-15, as noted elsewhere in the comments, are addressed.

   Response: The proposed Master Plan is conceptual. Details regarding parking spaces for each use will be provided at the time of site plan approval.

2. **Parking Distribution:** Applicant shall clarity the site distribution of parking spaces.

   Response: The proposed Master Plan is conceptual. Details regarding distribution of parking spaces will be provided at the time of site plan approval

3. **Parking - Electric Vehicle:** Applicant shall clarify if it will/will not be including electric charging vehicle stations as encouraged by Sec. 24-58 of the City's Code of Ordinances.

   Response: Applicant intends to provide electric charging vehicle stations for the project. Details regarding said charging stations will be provided at the time of site plan approval.

4. **Loading Space Requirements:** Applicant shall clarify the development dimensions by section and provide additional information on loading space requirements as provided for in Sec. 24-97.

Response: The proposed Master Plan is conceptual. Details regarding parking and loading spaces for each use will be provided at the time of site plan approval.

Other

1. **Renderings:** There is a large inconsistency between renderings. For example, the landscape renderings show two pedestrian bridge structures and a boardwalk that are not found in the Civil drawings. There are also crosswalks shown in the landscape renderings that are not found elsewhere. For the purpose of this review, a clarification on which of these drawings is correct is needed.

   Response: Plans have been revised to eliminate inconsistencies.

2. **Hurricane evacuation:** Evaluation of impacts of development and redevelopment on hurricane evacuation clearance times and disaster- preparedness needs is not included. The site application in question is in general Evacuation Zone A and includes new high density residential in the proposed development.

   Response: A Hurricane Preparedness Analysis has been prepared by Kimley-Horn and Associates, Inc. A copy of this analysis is enclosed with this application for your review and consideration.

3. **NE 35th Avenue:** Various pages in the Intracoastal Master Plan presented by the applicant refers to NE 35th Avenue as NE 135th Avenue.

   Response: All references have been corrected.

4. **Five-Minute Walk:** In any clarification, the applicant shall demonstrate adherence to the requirements of Sec. 24-58.7 requirements regarding a general 5-minute walk.

   Response: The proposed development sits on approximately 28.17 acres, which would take the average person approximately five (5) minutes to walk from one end to the other. The proposed project is intended to be a live, work, play environment with residential, retail, commercial and office use, including neighborhood oriented uses intended to serve the day-to-day needs of the residents. All uses are intended to be interconnected by pedestrian links, pathways, plazas, and green areas. This will create a pedestrian-friendly neighborhood oriented around the five-minute walk.

SECTION VI.b. CORRADINO CONCURRENCY REVIEW

Potable Water

The level of service for Residential: Townhouse 250 GPD, Multifamily 150 GPD per bedroom, 10 GPD per 100 sf for stores (retail) without food service, 10 GPD per 100 sq. ft. of office space, and for irrigation systems is 0.09 GPD per square feet of green area. The proposed development consists of 38 townhouses, 2000 multifamily residential units (assumed to be an average of 2 bedrooms per unit under a conceptual plan), 380,000 sq. ft. retail, up to 200,000 ft of office, and 202,009 sq. ft of public green area (Green and Elevated Park). Subtracting the existing retail building potable water demand of 23,403 GPD from the proposed demand of 685,681 GPD, the proposed project will increase demand by 662,278 GPD. Adequate potable water supply capacities exist to service the proposed use.

Response: Acknowledged.

Sanitary Sewer

The sanitary sewer level of service standard for apartments and condominium units is 200 GPD, Townhouse is 250 GPD (gallons per day), 10 GPD per 100 sf for shopping centers, 10 GPD per 100 sq. ft. of office space. Subtracting the existing office building sanitary sewer service demand of 23,403 GPD from the proposed demand of 467,500 GPD, the proposed project will increase demand by 444097 GPD on the existing sanitary sewer treatment facilities.

Response: Acknowledged.

Solid Waste

For the purposes of Solid Waste level of service the Miami-Dade County LOS is described herein: The County Solid Waste Management System, which includes County-owned solid waste disposal facilities and those operated under contract with the County for disposal, shall, for a minimum of five (5) years, collectively maintain a solid waste disposal capacity sufficient to accommodate waste flows committed to the System through long term interlocal agreements or contracts with municipalities and private waste haulers, and anticipated noncommitted waste flows. Based on the existing Interlocal Agreement with Miami-Dade County, as amended, and through the City's agreement with Waste Management, Inc. adequate solid waste capacity exists to service the proposed use.

Response: Acknowledged.

Drainage

Outside the scope of Corradino's review as assigned by the City. Drainage is to be reviewed by the City Engineer, Miami-Dade County DERM, and through an Engineering Permit.

Response: Noted.

Parks & Recreation & Impact Fee

The adopted LOS standards for parks and recreation is 2 acres per 1,000 residents.

The existing park acreage in North Miami Beach is 165.7 acres serving the current population of approximately 43,000 people. This translates to a LOS for parks of 3.85 acres per 1,000 people, and is above the adopted 2 acres per 1,000 residents standard. In addition to maintaining levels of service, the City requires a developer to pay a Parks and Recreation Impact fee of approximately $1,044.42 per residential unit. This project will generate $270,504 in parks and recreation impact fees. These fees will be paid prior to the issuance of a building permit. Adequate parks and recreation space exist to serve the development. Intended long term maintenance of dedicated public spaces should be further detailed given the requirements of Future Land Use Element 1.8.7 regulating the MU-EWF district.

Response: Noted. The Applicant has prepared a draft Development Agreement memorializing the comments provided above. A copy of the draft Development Agreement will be provided to City Attorney under separate cover. Final terms and conditions will be determined during this process and prior to final hearing before the City Commission of the City of North Miami Beach.

SECTION VII. BERMELLO & AJAMIL ARCHITECTURAL REVIEW

Regarding the Text Amendments

- What is the use requiring stories that exceed the permitted height?
    - Why is applicant asking for 18' stories above the ground level?

  Response: Upper level retail uses, including, but not limited to, a movie theater, require heights taller than the permitted 12'.

- If a movie theater requires 35' at the ground level, is amendment necessary?
    - Movie theater just takes up the first 3 stories of the building.

  Response: The movie theater is located at an upper level.

- Provide dimension on the proposed plan where maximum overall dimension of 560' is required.

  Response: See Sheet A1-22.

- Provide dimension on the proposed plan where the maximum overall block dimension of 600' is required.

  Response: See Sheet A1-22.

- Regarding active use frontage along NE 35th Avenue, that is an Existing Primary Street. Code typically requires active use on all levels of that frontage. Hardship would need to be demonstrated to loosen regulations.

  Response: Active uses will be provided fronting the central park and wrapping the corner onto NE 35th Ave for a percentage with an architectural treatment and landscaped edge comprising the remaining façade. In addition, a request for a waiver, by the Director of the Community Development Department, of the requirement for a liner building on multi-level parking garage structure in accordance with Section 24-58(K)(2)b.i. of the City's Code has been included with this Application.

- Drawings indicate 50' wide landscape buffer along NE 35th, however there is a ROW dedication running through it. Is that the case?

  Response: Response: Active uses will be provided fronting the central park and wrapping the corner onto NE 35th Ave for a percentage with an architectural treatment and landscaped edge comprising the remaining façade.

- Can there be a ped bridge that connects where the streets dead-end at the canal? What is size of the boats that are imagined to come through the canal?

  Response: A pedestrian bridge is shown on Sheet A1-18 connecting the north and south sides of the proposed canal.

Sec. 24-58 – Mixed Use (MU) District

(J) (3) c. i. Cul-de-sac in the southeastern corner of the property is not permitted.

Response: The cul-de-sac condition has been removed. The circle has been reconfigured to serve as entries for the S3 building and FPL site.

(J) (3) c. iv. 1-2. Street Section (G) does not meet requirements for minimum 5 feet landscape strip/tree grate along the street.

Street Section (H) does not meet requirements for minimum 5 feet landscape strip/tree grate along the street.

Street Section (I) does not meet requirements for minimum 5 feet landscape strip/tree grate along the street.

Street Section (J) does not meet requirements for minimum 5 feet landscape strip/tree grate along the street.

Response: All sections have been updated accordingly.

(K) (2) b. i. Drawings indicate that parking garages are not screened by a Liner building on all levels at all frontages.

Response: In instances where a liner is not feasible, an approved architectural treatment will be provided to screen the garage. In addition, a request for a waiver, by the Director of the Community Development Department, of the requirement for a liner building on multi-level parking garage structure in accordance with Section 24-58(K)(2)b.i. of the City's Code has been included with this Application.

(K) (2) b. ii. Provide dimensions for all vehicular access points of garages.

Response: The proposed Master Plan is conceptual. Details regarding all vehicular access points of garages will be provided at the time of site plan approval.

(L) (1) a. Tree counts will be required.

Response: Noted. However, the proposed Master Plan is conceptual. Details regarding tree counts will be provided at the time of site plan approval.

(L) (1) a. i. Provide calculation demonstrating compliance with requirements for maximum of 25% of trees can be palm species.

Response: The proposed Master Plan is conceptual. Details regarding plant species calculations will be provided at the time of site plan approval.

(L) (2) d. Provide overall dimension of each block on landscape plans and calculation depicting compliance with street tree spacing requirements.

Response: The landscape plans have been revised to reflect block dimensions. Details regarding tree spacing calculations will be provided at the time of site plan approval.

(O) (1-3) Indicate locations of mechanical equipment and service utilities on plans.

Response: Conceptual locations are shown on the plans, but final locations will be located at the time each individual site comes in for site plan approval.

(S) (1) a. Provide dimensions for each side of building to not exceed 300 feet.

Response: See Sheet A1-16 depicting buildings with facades

(S) (1) g. ii. Proposal indicates parking structures with no active use liner on existing primary street, new secondary street and new tertiary street.

Response: In instances where a liner is not feasible, an approved architectural treatment will be provided to screen the garage. In addition, a request for a waiver, by the Director of the Community Development Department, of the requirement for a liner building on multi-level parking garage structure in accordance with Section 24-58(K)(2)b.i. of the City's Code has been included with this Application.

(S) (1) n. Proposal indicates dwelling units less than minimum allowed 550 sq.ft.

Response: This condition has been eliminated.

(S) (2) Parcel diagram indicates blocks in excess over the 400' maximum length permitted and the maximum perimeter of 1,400'.

Response: This is intended to be consistent with the proposed Text Amendment to the block requirements of Section 24-58(S)(2) to allow MU/EWF projects to have a maximum block length of 600 feet.

This amendment will allow for the effective design and creation of an active, distinctive, and pedestrian-friendly urban environment. Increasing the allowable building horizontal dimension and block length will allow for maximization of water views and green areas/open space on the Property, creating a continuous pedestrian experience with minimal vehicular conflicts. In addition, these text amendments allow for the significant physical and functional integration of uses and project components necessary to achieve the desired synergies and sense of place that are the hallmarks of quality mixed-use developments.

(S) (3) Drawings should indicate the building typology that each structure is intended to be constructed.

Response: Building typologies have been noted on the sections.

(S) (3) b. iii. 1. Provide calculations demonstrating compliance with standards for average floor plate area, dependent on tower use.

Response: Conceptual tower floor plate calculations have been depicted on Sheet A1-21. Final tower floor plate calculations will be demonstrated at time of individual site plan approval.

(S) (3) b. iii. 2. Provide dimension between towers. Since the minimum dimension between two separate tower floor plates is 60', please provide dimension for clarification for northern tower in block S3. Suggestion is that tower shall be 30' away from the property line, so that vacant parcel can redevelop a tower on their parcel and accommodate the other 30' to meet that minimum distance of 60'.

Response: See Sheet A1-21 for tower separation.

Sec. 24-58.7 – Mixed Use Waterfront (MU/EWF) District

(E) (1) The adopted Sub-Areas Regulating Plan calls for additional Edge Sub-area along NE 35th, however the site plan indicates considerably more of the Transition Sub-area. Given the City's efforts to update the MU-Canalside, to the west of the property, this alternative seems to be satisfactory.

Response: Acknowledged.

E) (2) Is there a way to connect the two-dead end streets at the canal, with a pedestrian bridge or other connection to complete the internal circulation loop? Presently, the design indicates two-independent loops. It would be nice to be able to connect them to one another, even if just for pedestrians.

Response: A pedestrian bridge is shown on Sheet A1-18 connecting the north and south sides of the proposed canal.

(E) (3) Why is the triangular open space along NE 163rd Street not included?

Response: The triangular open space has been included and addressed.

(E) (4) The proposed Building Heights Plan indicates a fine-grain transition of heights in the general spirit of the adopted plan. However, it is unclear why the additional stories are needed? Higher story height above the first story, but the maximum height (feet) stays the same?

Response: The plan proposes a shift in height and intensity away from the north side of the property towards the south. The additional stories, while staying within the overall allowed height, would allow for this shift in intensity.

(G) (1) d. Proposed plan indicates that the buildings fronting NE 35th Avenue does not contain active uses on all levels.

Response: In instances where a liner is not feasible, an approved architectural treatment will be provided to screen the garage. In addition, a request for a waiver, by the Director of the

Community Development Department, of the requirement for a liner building on multi-level parking garage structure in accordance with Section 24-58(K)(2)b.i. of the City's Code has been included with this Application.

(G) (1) e. Proposed plan indicates that the buildings fronting NE 35th Avenue does not contain active uses along the ground level at southwest corner of the parcel.

Response: In instances where a liner is not feasible, an approved architectural treatment will be provided to screen the garage. In addition, a request for a waiver, by the Director of the Community Development Department, of the requirement for a liner building on multi-level parking garage structure in accordance with Section 24-58(K)(2)b.i. of the City's Code has been included with this Application.

(G) (1) g. i. Proposed plan indicates 50' landscaped buffer, however Sheet A1-30 indicates a road encroaching within the area.

Response: See Sheet A1-18 for adjusted road configuration.

(I) (2) a. Proposed plan indicates a waterfront promenade section that varies from these standards. Public access is required for no less than the minimum width, throughout the waterfront promenade.

Response: The waterfront standards have been met wherever possible. In instances where those conditions cannot be met due to environmental conditions along the Intracoastal and existing canal a variation in that standard is being requested, maintaining the intent for pedestrian connectivity. New cross sections were created to reflect the conditions along the new waterfront canal.

(I) (3) a. Provide dimension for length of all individual waterfront promenades and urban greenways and demonstrate compliance with requirements for minimum 70% of shade from tree canopy.

Response: Dimensions for the waterfront promenade and urban greenways shown on the open space diagrams. Compliance for shade tree requirements to be provided during Site Plan Approval. Please see Sheet Al-29.

(I) (3) b. Provide inspiration images for each of the street furnishings listed.

Response: The proposed Master Plan is conceptual and provides the overall vision and development guidelines for the project. Further details regarding materials and street furnishings will be provided at the time of site plan approval.

(J) Clearly label the height (Stories & Feet) for each individual building component on the plan.

Response: See Sheets A1-30 through 39.

(K) Clearly label the intended building typology for each individual building component on the plan

Response: Building typologies have been noted on the sections.

(K) (2) Clearly label the property line and the setback line for each of the individual development parcels on the proposed site plan.

Response: See Sheet A1-22.

(L) Provide all calculations for all parking individually number all parking spaces on each level of parking structure. Provide labels for guest parking.

Response: The proposed Master Plan is conceptual. Details regarding parking space calculations will be provided at the time of site plan approval.

(M) Provide all calculations for bicycle racks and bike storage. Provide labels and individually number each. Provide labels for shower and changing facility.

Response: The proposed Master Plan is conceptual. Details regarding bicycle racks and bicycle storage will be provided at the time of site plan approval.

(N) Provide information regarding anticipated signage for each component of the proposal

Response: The proposed Master Plan is conceptual. Details regarding signage will be provided at the time of site plan approval.

SECTION VIII. PLANNING & ZONING

Provide a written response to all TRAD comments in the next submission. These comments are based on the plans submitted for the August 30, 2019 TRAD and may be amended following the TRAD meeting.

General Comments:

1. Application references Intercostal and Intracoastal as well as NE 35 AVE shown as NE 135 AVENUE

   Response: Application documents have been revised accordingly.

2. Development Agreement. A draft Development Agreement should be submitted for review and must be approved by the City Attorney's Office prior to the Planning and Zoning Board and City Commission public hearings. It should address the following issues:

   a. Hotel. For the purpose of a Development Agreement, the City will be interested in ensuring that a high quality hotel brand is part of this project.
   b. Traffic mitigation and TDM strategies, phasing.
   c. Public benefits.
   d. Eastern Shores Public Infrastructure and Streetscape Assessment and Fund.
   e. Police substation.
   f. Fire station.
   g. City's Tot Lot.
   h. Open space sharing with City, dedications (if any), park accessibility, etc.
   i. Roadway improvements.
   j. Community space/rooms for satellite library and/or mobile services.
   k. Prohibition of Short Term Rentals. The City does not support the use of micro-units for short- term rentals. The Development Agreement shall address restrictions and prohibitions on STRs.

   Response: The Applicant has prepared a draft Development Agreement memorializing the comments provided above. A copy of the draft Development Agreement will be provided to City Attorney under separate cover. Final terms and conditions will be determined during this process and prior to final hearing before the City Commission of the City of North Miami Beach.

   Please note that micro-units are no longer contemplated as part of the proposed project.

3. Text & Regulating Plan Amendments to Code. The City will provide these comments separately from this application considering the applicant does not have the standing to apply for a text amendment in the Mixed Use Zoning districts. These comments are forthcoming.

Response: Based on Applicant's communications with City Attorney, this comment may be disregarded.

4. Project Phasing Plan.
   a. Provide a written description of each phase.

Response: Applicant is finalizing phasing plan, and final phasing schedule plan will be provided, as part of the application materials and Development Agreement, prior to first reading of this application.

5. Master development plan seeking approval with proposed canal cut shown. What is the assurance canal will be permitted?
   a. Shoreline Committee Environmental Documentation for Proposed Canal Cut. Provide all documentation on the property and any development restrictions. Provide a copy of the proposed canal cut permit applications, the plans, requirements, and comments from County, State, or Federal agencies.

Response: The proposed Conceptual Master Plan has been designed with the canal as the focal point, as it will serve as a natural and attractive component that will dramatically enhance the experience of visitors and residents alike. The Applicant intends to obtain the following required environmental and regulatory approvals from:

- **The U.S. Army Corps of Engineers (Corps)**
- **The South Florida Water Management District (SFWMD) - Environmental Resource Permit (ERP)**
- **The Miami-Dade County Division of Environmental Resources Management (DERM) - Class I Permit.**

6. ASA College Property.
   a. What is status of the ASA College?

      Response: The Applicant is closing on the ASA College Property and a deed will be provided once it is recorded.

   b. You propose to use up all of the residential and nonresidential entitlements, but the college building still exists on this plan. The building is approximately 33,360 SF so your development proposal will need to be reduce by that much to be consistent with the Comprehensive Plan.

      Response: The Applicant is closing on the ASA College Property and a deed will be provided once it is recorded. The ASA College parcel has been incorporated into the proposed Conceptual Master Plan and the Development Program. Pursuant to Policy 1.8.2 of the City's Comprehensive Plan, the Property has a maximum density and intensity of 2,000 residential units and 2,500,000 square feet of nonresidential use. The proposed non-residential uses amount to 580,000 square feet. Therefore, there is a remainder of approximately 1,920,000 square feet of non-residential uses that may be built on the Property.

c. Provide copies of all cross access easements, any other easements, and a plan Sheet showing how you will maintain access for the college property owner.

Response: The Applicant is closing on the ASA College Property and a deed will be provided once it is recorded..

d. How does your project relate to the existing college property? You show improvements to the exterior of the college property including a waterfront.

Response: The ASA College parcel has been incorporated into the proposed Conceptual Master Plan and the Development Program. The Applicant is closing on the ASA College Property and a deed will be provided once it is recorded.

7. Public Participation. It is recommended that you hold a public participation meeting with the Eastern Shores Property Owner's association prior to the Planning and Zoning Board Meeting. Provide the City copies on meeting sign-in Sheets, topics discussed, date, time, location.

Response: Noted. The Applicant will engage in community outreach, and hold a public participation meeting with the Eastern Shores Property Owner's association prior to the Planning and Zoning Board Meeting. Copies of meeting sign-in Sheets, topics discussed, date, time, location will be provided to the City after said public participation meeting is held.

8. Replat. Eastern Shores 2nd Addition. Per Section 24-180D(2), It appears that this parcel was replatted at some point in history, provide all updated public records relating to the most current plat. Otherwise, Replat of this property may be required since there are more than two parcels involved in the change to the existing plat and you are combining parcels from different plats together. Platting process is outlined in Sec. 24-178 - Subdivision Plats. A 5% open space dedication or fee lieu is required for replatting property 10 acres or greater.

Response: For plat information, please refer to Sheet A1-3. The proposed plan contemplates ±255,558 square feet of public open space, which is equivalent to ±20% of the total lot area. For open space calculations, please refer to Sheet A1-29.

9. Miami-Dade County Fire Department Review. It is recommended that you request a preliminary fire review of the master roadway network plan as they are not a part of the TRAD review process.

   i. Show emergency circulation along NE 163rd ST, and for the site.

   ii. Provide fire staging areas and turning radii on any proposed streets, driveways, and alleys.

Response: A preliminary fire review has been completed. Please refer to Sheet CS101 for circulation, staging, and turning radii information.

10. Public School Concurrency. School Concurrency Impact Fees payment will be required prior to the issuance of site plan approval. This is a preliminary review (public hearing review) to determine potential impact on schools. Your school concurrency

application number is **PH071909100502.**

Response: Acknowledged.

11. Provide a shadow study.

    Response: The proposed Master Plan is conceptual. A shadow study will be provided at the time of site plan approval.

12. 6 Acre Open Space/Park, Tot Lot.
    - This park is required to be conveniently located for access by residents of the Eastern Shores Neighborhood, but it is on the third floor of the parking garage. This does not appear to comply with this code requirement.

      Response: The roof top park has been removed. The required public open space has been accommodated along the central park and waterfront and is accessible by the public.
    - What do you propose to do with the existing Tot Lot?

      Response: The existing Tot Lot was renovated by the City in March of 2019. The City improvements included: (1) new playground equipment, (2) new picnic tables and benches, and (3) new safety surface.

      In addition, to complement the recently renovated Tot Lot, the Applicant is proposing to create a kid's play area, which will be a publically accessible amenity, located immediately adjacent to the current Tot Lot.
    - Will Elevated Community Park have hours of operation? How will access be granted and restricted during times the park is closed?
      - What about Noise Pollution?
      - Include amenities such as park furnishings and lighting.
      - Will you be proposing anything other than a soccer field? What about a tennis court?

      Response: The roof top park has been removed. The required public open space has been accommodated along the central park and waterfront and will be accessible by the public.
    - How will traffic and vehicle circulation be impacted when Proposed Primary Boulevard/Promenade is used as Temporary Event Space?

      Response: See Sheet A1-25 for proposed vehicle circulation at times of street closures.

13. Waterfront Promenade.
    - See Sunny Isles Beach comments.

      Response: Noted. Responses provided in Section IX of this memorandum.
    - Sheet A1-12: Show connectivity of the Designated Waterfront Promenade with NE 35 AVE and NE 163 STREET

      Response: See updated diagram on Sheet A1-12.
    - Develop a pedestrian path within designated open space area south of Eastern Shore's Tot Lot. There is also a sanitary sewer pump station in this vicinity. Will pump station be relocated? How will it be screened?

Response: See landscape Sheet L-200 for revised circulation and use within the open space.

- Proposed Waterfront Promenade Section shown on A1-27 needs clarification. Breakdown the area labeled "g" with a width of 30 to 35 feet.

  Response: See Sheets A1-30 through 39 for updated sections.

- Will this connect to Oletta State Park?

  Response: There is no proposed connection from the waterfront promenade below the 163rd Street bridge at this time. Pedestrian and bicycle connections will occur along 163rd Street west to NE 34th Avenue

14. Transportation & Access Enhancements to NE 163 ST, NE 35 Avenue

- Refer to Corradino and City of Sunny Isles Beach review for additional comments.

  Response: Acknowledged.

- What is the commitment level for the Water Taxi?
  - Identify general location, station design, dedication/County easement for proposed Water Taxi stop.

  Response: The Applicant intends to have a Water Taxi serving the project. Operational plan to be provided in the future prior to commencement of Water Taxi operations.

- Transit Station locations and participation in the City's Trolley System.

  Response: For details regarding transit station locations and proposed bus transit connections, please see Sheet A1-27.

- Include Loading and Vehicular Circulation paths to exit the Intracoastal Mall property. Sheet A1-20: Vehicle & Loading circulation only shows entrance to site. Show how both will circulate out of the site.

  Response: See Sheets A1-23 and A1-24 for updated Vehicle and Loading circulation Ingress and Egress.

- Loading zone next to proposed bus shelter at block N1 may have a potential to cause back- ups at guard gate leading to northern Eastern Shores Community.

  Response: The proposed entry along 35th Avenue is a one-way loading entry road. All loading vehicle movements will occur within the N1 building and not at the street.

14. Police & Fire. Police and Fire Station: the developer shall be required to relocate, rebuild, improve, enhance or otherwise address per the direction of the City/County, the existing fire rescue station and a proposed police substation onsite. A docking spot for emergency boats may be requested.

Response: Noted The Applicant acknowledges and will comply with this requirement per the direction of the City/County. The Fire Station and Police Substation office are shown on the revised plans enclosed with this resubmittal.

<u>Master Development Plans.</u>

1. Sea Level Rise. What measures do you propose to respond to rising sea levels in this

case Biscayne Bay?

Response: The overall site elevation will be increased and buildings will comply with FEMA floor elevations.

2. Include building and tower heights, tower setbacks appear to be close to the ASA College property line. Provide a plan Sheet showing the district's setback requirements and the tower/podium locations.

   Response: See Sheet A1-22 for building setbacks and Sheet A1-21 for conceptual tower placements. The ASA College site has been acquired and included in the site plan.

3. All utilities east of NE 35th Avenue shall be buried.

   Response: Comment Acknowledged. We will coordinate with the respective utility companies to bury the

4. Landscape Master Plan.

   a. Providing a landscape plan illustrating a coherent design with significant tree species along the urban greenways and waterfront promenade that are distinguishably different from the other streets along the property in terms of color, type and shape.

      Response: Sheet L-504 shows Proposed Canopy plan. Detailed Planting Plans to be provided during Site Plan Approval.

   b. Coordinate L-209 with proposed site plan and tower configurations. Palms and Canopy trees proposed directly under tower connecting N2 and N3. Will these survive?

      Response: Not Applicable in latest design. Any Tree or Palm species proposed under building overhangs shall be shade tolerant and low growing in nature. Detailed Planting Plans shall be provided during Site Plan Approval.

   c. Yellow Trumpet Tree (Tabebuia caraiba) is not recommended tree species. Historically, these have not fared well in NMB after hurricane storms.

      Response: Yellow Trumpet Tree is not on the prohibited species list in the NBM Code or Ordinances (sec. 24-121) but the Tree has been substituted for another Yellow Flowering species.

   d. As part of landscaping plans, include a plan Sheet showing how electrical substation and water pump station will be screened.

      Response: Electrical sub-station will be screened by a continuous 10' minimum tall hedge and canopy trees. Detailed Planting plans to be provided during Site Plan Approval.

   e. Show compliance with landscape requirement of minimum of 25% shall be palms.

      Response: Detailed Planting plans showing compliance for palm requirements will be provided during Site Plan Approval.

5. Streetscape Plan & Vehicular Circulation

   a. Proposed median adjacent to S1 blocks access to shopping center to the West for vehicles traveling east and westbound from NE 163rd Street.

      Response: The updated site plan restores access to the shopping center to the west of the property. A pedestrian/bike circulation plan and vehicular circulation plan have been prepared. Please refer to Sheets A1- 23 through A1-26.

   b. Clarify vehicular circulation north of NE 164th Street. Shall not impact the existing west and north guard entrances to Eastern Shores.

      i. Sheet A1-11 Street Network Connectivity Regulating Plan: New Secondary Street in North has the potential to impact the entrance to the Eastern Shores community, and may be overburden as it is the path of least resistance for loading and access to the north of the development.

      ii. Should not create a queuing impact along NE 35th

      Response: The proposed plans, as designed, do not impact the existing guard entrances to the Eastern Shores community. The existing entrance to the shopping center along NW 35th Avenue and it has been determined that with all the proposed roadway improvements associated with the project, no significant queuing impact will result along NE 35th Avenue.

   c. Include a designated pedestrian cross-walk for New Secondary Street between Blocks N1, N2 and Block N3.

      Response: See Sheet A1-18 for updated pedestrian crosswalks.

   d. Public Open Space areas. Sheet A1-16 and in Sheet CS 101: A 50 ft. open space is shown with a ROW dedication and Bus Stop; and adjacent to this a median (N1). Will traffic heading north have to go in through the ROW Dedication?

      Response: See Sheet A1-18 for updated site plan connectivity.

   e. Provide a separate bike path plan Sheet, showing bike routes. Will this connect to Uleta State Park?

Response: See Sheet A1-26 for updated pedestrian and bike routes.SECTION IX. CITY OF SUNNY ISLES BEACH

Transportation:

1. This application is providing integrated multi-modal options, such as, the water taxi connections and several pedestrian and walkable areas. Regarding the water taxi mode, the City of SIB has proposed a future water taxi stop at its Bella Vista Park which is located at 500 Sunny Isles Beach Blvd, right across from the lntracoastal Mall, therefore this stop could be considered and analyzed as part of this application. See exhibit A

   Response: Please refer to Sheet A1-27 for updated transit diagram including proposed location of the water taxi stop.

2. The lntracoastal Mall has served as a bus stop connector between the City of SIB and the City of North Miami Beach shuttle bus services. This application could be the catalyst for the creation of a bus hub or better a multi-modal motorized hub, where share-riders vehicles, buses, and other types of vehicular transport can safely, efficiently and effectively coexiStreet More specifically, this concept can be analyzed and further expand along 163 Street

   Response: Please refer to Sheet A1-27 for updated transit diagram.

3. Both Cities are connected by the Sunny Isles Beach Blvd Bridge, operated and maintained by Florida Department of Transportation. This bridge is heavily used by pedestrian and bicyclist as the lntracoastal Mall provides for shopping and entertainment services as well as connecting the western side of the bridge with access to the beaches. Therefore, a meaningful and safe design should be integrated into the improvements of 163 St along the stretch from NE 35 Ave and Collins Ave to integrate pedestrian and bicycliStreet Basically, the corridor could become the Boulevard that its name merits. In addition, the City's baywalk along the intracoastal, as part of the Miami-Dade County Shoreline Review, should be connected to improve the convenience and safety of this recreational network. See exhibit A

   Response: Comment noted.

4. The traffic analysis provided along with this application had originally proposed an added traffic light intersection along 163 St eastern driveway, this option should continue to be analyzed. The two alternatives provided in the report should include a multi-modal analysis and further analysis of the capacity of SR826 as an evacuation route for the coastal areas should be provided. See exhibit A

   Response: Two additional alternatives have been evaluated as a part of the updated traffic study. Alternative 3 proposes a partial traffic signal at the

intersection of SR 826/NE 163rd Street and the Intracoastal Mall Driveway, which would allow exiting vehicles to make a southbound left turn and travel east along SR 826/NE 163rd Street. Vehicles would be unable to make an eastbound left turn into the driveway. Alternative 4 proposes a full traffic signal at the intersection of SR 826/NE 163rd Street and the Intracoastal Mall Driveway which would allow eastbound left turns into the driveway and southbound left turns out of the driveway. A Hurricane Preparedness Analysis will be prepared under a separate cover.

Infrastructure:

1. The sanitary sewer level of services analysis should be provided as part of this application.

   Response: The proposed Master Plan is conceptual. Concurrency determination for sanitary sewer levels of service will be obtained at the time of site plan approval.

2. Which are the educational facilities that will be providing services to this application? Are there any other interlocal agreements needed between the City of North Miami Beach, the applicant, and the MDC-School Board to satisfy school capacity? Or Does the City have any other concurrency mitigation options?

   Response: Miami-Dade County Public Schools has conducted a public school concurrency preliminary analysis has been completed (Process No. PH0719091000502). At this time, all levels have sufficient capacity available to serve the application. Final concurrency review and approval will be obtained at the time of site plan approval process.

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